

FIRST AMENDMENT

BILL NO. 2008-34

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE PROVISIONS OF THE BUSINESS LICENSE CODE PERTAINING TO THE LICENSE APPLICATION PROCESS, LICENSEE REGULATIONS, BUSINESS LICENSE CATEGORIES, DESIGNATION OF LICENSE AGENCIES AND OFFICIALS, COMPLIANCE WITH AMENDMENTS TO STATE LAW, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark Vincent, Director
Department of Finance and Business Services

Summary: Amends the business license code pertaining to the license application process, licensee regulations, business license categories, designation of license agencies and officials, compliance with amendments to State law, and to provide for other related matters.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Title 6, Chapter 2, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.02.010: Unless the context otherwise requires, the scope of all words in this Title shall be liberally construed in order to effectuate the purposes of this Title. In particular, the following words shall have the meaning ascribed to them as follows:

“Applicant” means any person who has applied for a City business license, approval of suitability, work card or any permit.

“Business” means any business, commercial enterprise, trade, occupation, calling, profession, vocation or activity engaged in, conducted, [or] carried on, advertised or marketed, by any person, his agent or employee for the purpose of gain, benefit or advantage, either direct or indirect.

“Department” means the Department of Finance and Business Services.

“Director” means the Director of the Department of Finance and Business Services and those persons authorized by him to act in his behalf.

“Employee” means any person who performs services for another for hire, salary, wages or any other kind of compensation, whether or not the services are casual, temporary or permanent, and whether or not the contract of service is express or implied, oral or written.

1 “Establishment” means any business conducted in or upon any premises, and includes any
2 buildings, improvements, equipment and facilities used or maintained in connection with such
3 business.

4 “Gross sales/gross revenues,” as used in connection with the determination of license taxes,
5 means the total amount of the sale price of all goods sold, the total amount charged or received for the
6 performance of any act, service or employment, of whatever nature it may be, whether or not such
7 service, act or employment is performed as part of or in connection with the sale of goods, wares or
8 merchandise for which a charge is made or credit allowed, including all receipts, cash, credits or
9 property of any kind, any amount for which credit is allowed by the seller to the purchaser without any
10 deduction therefrom on account of the cost of property of any kind, any amount for which credit is
11 allowed by the seller to the purchaser without any deduction therefrom on account of the cost of
12 property sold, cost of materials used, labor or service costs, interest paid or payable, losses or any other
13 expense whatsoever.

14 (A) The [following shall not be included in calculating] term gross sales/gross
15 revenue shall not include:

16 (1) Cash discounts which are allowed or taken on sales/revenue;
17 (2) Over-allowance on trade-ins of used merchandise, cars or goods which
18 are received in trade for the purchase of new merchandise, cars or goods. For purposes of this
19 [Section] definition, “over-allowance” means the amount which is allowed on any trade-in which is
20 in excess of the actual sale price of the trade-in by the dealer, whether that sale is wholesale, retail or
21 at auction. In order for a dealer of new merchandise, cars or goods to substantiate deductions for
22 over-allowances, a separate general ledger account must be maintained which accumulates the total
23 over-allowances. This account must be supported by a cash receipt journal or similar journal which
24 summarizes the daily transactions. Each daily entry must be supported by the original contract which
25 clearly substantiates the difference between the actual sales price and the allowance which is given
26 to the customer on the trade-in;

27 (3) Inventory transfers between dealers of new merchandise, cars or goods
28 and their wholly owned leasing companies, wherein no profit is involved. In order for a dealer of new

merchandise, cars or goods to substantiate deductions for inventory transfers, a separate account must be maintained in the general ledger for all merchandise, cars or goods which are transferred to its wholly owned leasing company. These transactions must be traceable to a cash receipt journal or similar journal which summarizes daily transactions. Each daily entry must be supported by paperwork which legally transfers the new merchandise, car or goods to the leasing company; and

(4) Any tax on fuel or retail sales that is collected by the seller.

“Health District” means the Southern Nevada Health District.

“License” means permission granted by the licensing authority to engage in the business for which the license is issued.

“Licensee” means any person to whom a valid license has been issued pursuant to this Title.

“License fee” or “license tax” means any money required by law to be paid to obtain, renew or maintain a license.

“Metro” means the Las Vegas Metropolitan Police Department.

“Person” includes any association, corporation, firm, partnership, trust or other form of business or social association or organization, as well as a natural person and the estate of a natural person.

“Personal representative” means any person authorized to act on behalf of the estate of a natural person.

“Premises” means land together with all buildings, appurtenances, improvements, parking areas and personal property located thereon.

“Principal” means:

(A) Any person who is an officer, director, trustee, personal representative or general partner or who has an ownership interest in or voting control of the business equal to or greater than ten percent of the entire ownership of voting control of such business. If the ownership interest or voting control is held by a person other than an individual, then each officer, director, trustee, personal representative or general partner of such person is a principal;

(B) Any person who is or will be directly engaged in the administration or supervision of the business; and

1 (C) Any other person if, in the Director's opinion, the person exercises, or is
2 capable of exercising, significant influence over the business.

3 "Professional" means a person who:

4 (A) Holds a license, certificate, registration, permit or similar type of authorization
5 issued by a State regulatory body as defined in NRS 622.060, or who is regulated pursuant to the
6 Nevada Supreme Court Rules; and

7 (B) Practices his or her profession for any type of compensation as an employee.
8 The term "employee" for the purposes of this definition includes an owner, sole proprietor, member,
9 partner or associate of a professional business.

10 "Professional business" means a business which:

11 (A) Holds itself out as offering services regarding one or more of the professions
12 regulated by a State regulatory body as defined in NRS 622.060 or by Nevada Supreme Court Rules;
13 and

14 (B) Employs one or more professionals to provide such services.

15 "Valid unexpired license" means a license that has not been suspended or revoked before its
16 expiration date.

17 SECTION 2: Title 6, Chapter 2, Section 65, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.02.065:** Nothing in this Title, including the imposition of any license tax, shall be deemed or
20 construed to apply to any:

21 (A) Person engaged in any of the professions or occupations hereinafter enumerated
22 solely as an employee of any other person who is properly licensed to conduct, manage or carry on any
23 such business unless specifically provided otherwise in Chapter 6.04 or any other provision of this
24 Title;

25 (B) Community theater as defined in NRS 364.130;

26 (C) Public bus transportation service for the carrying of passengers from place to
27 place within the City, which is owned or operated by a governmental entity; provided, however, this
28 exception does not apply to a private person who leases the service from the governmental entity for

1 business purposes;

2 (D) Nonprofit professional services organization that provides all of its professional
3 services to the public at no cost and has received its tax exempt status pursuant to Title 26 U.S.C.
4 Section 501(c);

5 (E) Professional person licensed by the State who works solely either as a principal
6 or employee for a nonprofit professional services organization that has tax exempt status pursuant to
7 Title 26 U.S.C. Section 501(c), if such organization provides all of its professional services to the
8 public at no cost; or

9 (F) [Any government] Government entity or professional person licensed by the
10 State who works solely as an employee of a government entity.

11 SECTION 3: Title 6, Chapter 2, Section 90, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.02.090:** (A) Other than an application for a license which requires prior approval by an
14 agency of the State, an application for a license which requires formal approval of the Council to
15 which the exemptions in LVMC 6.02.070(E)(1) - (4) do not apply, or a license that is subject to the
16 provisions of LVMC Chapter 6.06, the Director, not more than thirty calendar days after receipt of an
17 application for a license, shall approve with or without conditions, deny or take such other action with
18 respect to such application as the Director considers appropriate. In the event that any department that
19 the Director consults regarding an application is unable to complete its review thereof in time for the
20 Director to comply with such thirty-calendar-day requirement, the Director shall issue a temporary
21 license as provided in LVMC 6.02.070. The Director may:

22 (1) Deny an applicant a license if:

23 (a) The application is incomplete or the application or supplemental
24 application information furnished pursuant to the written request of the Director contains false,
25 misleading or fraudulent statements with respect to any information that is required in the application;

26 (b) The applicant, prospective licensee or any of its principals fails
27 to satisfy any qualification or requirement that is imposed by this Code, or other local, State or Federal
28 law or regulation that pertains to the particular license or approval for suitability which is sought;

1 (c) The applicant, prospective licensee or any of its principals
2 resides in the United States illegally;

3 (d) The applicant, prospective licensee or any of its principals is
4 engaged in a business, trade or profession without having obtained a valid license, an approval for
5 suitability, a permit or a work card when such applicant or any of its principals knew that one was
6 required or under such circumstances that they reasonably should have known one was required;

7 (e) The applicant, prospective licensee or any of its principals has
8 been subject, in any jurisdiction, to disciplinary action of any kind with respect to a license, an
9 approval for suitability, a permit or a work card to the extent that such disciplinary action reflects upon
10 the qualification, acceptability or fitness of the applicant, prospective licensee or any of its principals;

11 (f) The applicant, prospective licensee or any of its principals has
12 been convicted of an act that constitutes a crime which involves moral turpitude or involves any local,
13 State or Federal law or regulation which relates to the same or a similar business, or has been
14 convicted of having solicited, encouraged, caused or procured another to commit such a violation;

15 (g) The applicant, prospective licensee or any of its principals has
16 been convicted of having perpetrated, or solicited, encouraged, caused or procured another to
17 perpetrate, deceptive practices upon the public;

18 (h) The applicant, prospective licensee or any of its principals
19 suffers from a legal disability under the laws of the State;

20 (i) The premises on which the business is proposed to be conducted
21 do not satisfy local, [state or federal] State or Federal laws or regulations which pertain to the activity
22 that is proposed to be engaged in; [or]

23 (j) The proposed business activity constitutes, promotes, fosters,
24 aids or otherwise enables a private nuisance, public nuisance or chronic nuisance[.] ; or

25 (k) The required license fee has not been paid in advance.

26 (2) Decline to renew a license if:

27 (a) The licensee or any of its principals is engaged, or has
28 commenced, instituted, advertised, aided, carried on, continued or engaged, in a business, trade or

1 profession without having obtained a valid license, an approval for suitability, a permit or a work card
2 when such a person knew that one was required or under such circumstances that they reasonably
3 should have known one was required, or has solicited, encouraged, caused or procured another to do
4 so;

5 (b) The licensee, any of its principals, or their employees or those
6 acting on their behalf, have been subject, in any jurisdiction, to disciplinary action of any kind with
7 respect to a license, an approval for suitability, a permit or a work card to the extent that such
8 disciplinary action reflects upon the qualification, acceptability or fitness of such licensee or any
9 principal;

10 (c) The licensee, any of its principals, or their employees or those
11 acting on their behalf, have been convicted of an act that constitutes a crime which involves moral
12 turpitude or involves any local, State or Federal law or regulation which relates to the same or a
13 similar business, or have been convicted of having solicited, encouraged, caused or procured another
14 to commit such a violation;

15 (d) The licensee, any of its principals, or their employees or those
16 acting on their behalf, violate a condition which is imposed upon the license;

17 (e) The licensee, any of its principals, or their employees or those
18 acting on their behalf, have been convicted of having perpetrated deceptive practices upon the public;

19 (f) The licensee or any of its principals suffers from a legal
20 disability under the laws of the State;

21 (g) The premises on which the business is conducted do not satisfy
22 local, state or federal laws or regulations which pertain to the activity which is actually engaged in;[
23 or]

24 (h) The business activity constitutes, promotes, causes, allows,
25 fosters, aids, or otherwise enables a private nuisance, public nuisance or chronic nuisance, or has been
26 or is being conducted in an unlawful, illegal or impermissible manner, including but not limited to
27 causing, allowing, promoting, fostering, aiding, enabling, exercising deliberate ignorance towards or
28 failing to abate a private nuisance, public nuisance or chronic nuisance[.]; or

1 (i) The required license fee for the next license period has not been
2 paid in advance.

3 (B) In order to decline renewal of a license pursuant to Paragraph (2) of Subsection
4 (A) of this Section, the Director must first:

- 5 (1) Obtain the written approval of the City Attorney's Office; and
6 (2) Mail or deliver to the licensee, at least twenty-one days before the
7 licensing period expires, written notice of the nonrenewal, including a generalized statement of the
8 reasons therefor. A failure by the City Attorney's Office to respond within three business days to a
9 request for approval under this Subsection shall be deemed an approval thereunder.

10 (C) The Director shall base a decision to deny, revoke, suspend or fail to renew any
11 license sought or obtained under this Chapter upon the objective criteria set forth in Subsection (A)
12 and not upon a desire or need to suppress or censor expressive material, or to address conduct that
13 does not constitute or aid and abet criminal conduct or activity or other conduct harmful to the public
14 health, safety, welfare, morals and peace.

15 SECTION 4: Title 6, Chapter 2, Section 100, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.02.100:** Upon final approval of a new license application or license renewal and upon payment
18 of all required fees and taxes, the Director shall issue a license. The license shall specify the
19 classification of the license, the premises where the business is allowed and the name of the licensee.

20 SECTION 5: Title 6, Chapter 2, of the Municipal Code of the City of Las Vegas,
21 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
22 6.02.125, to read as follows:

23 **6.02.125:** It is unlawful for any person to sell food products without first securing and
24 maintaining in active status all health permits required by the Health District.

25 SECTION 6: Title 6, Chapter 2, Section 130, of the Municipal Code of the City of
26 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **6.02.130:** [No license to conduct any business or occupation which is regulated and licensed under
28 any provision of the Nevada Revised Statutes shall be issued unless and until a State license has been

1 obtained therefor; provided, however, a temporary license may be issued pursuant to LVMC 6.02.070
2 if the issuance of a State license is conditioned upon the prior approval or issuance of a City license.]
3 The Director may require a City license applicant to show proof that he or she has been issued a
4 required unexpired State license, certificate or permit, as a condition of issuance of a City license.

5 SECTION 7: Title 6, Chapter 2, Section 150, of the Municipal Code of the City of
6 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.02.150:** (A) Separate licenses or permits must be obtained for each branch establishment
8 or separate place of business, whether the activity is intended to be permanent or temporary[, and a].

9 (B) A license must be obtained for every class and type of business in this Code
10 specified, even though several classes or types of business may be operated by the same person and
11 at the same place of business[; provided, that any].

12 (C) A person conducting several classes or types of businesses, each of which is
13 required by [Section] LVMC 6.04.005 to pay a license fee on the basis of gross sales, at the same
14 location and under the same business name, shall, unless otherwise directed by the Director, [be
15 required to] apply for and obtain only one license.

16 SECTION 8: Title 6, Chapter 2, Section 170, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.02.170:** (A) License [taxes] fees based upon gross sales/gross revenues are due in advance
19 and shall fall due on a semiannual basis, with the initial semiannual period commencing on the date
20 the application for business license is filed.

21 (B) The new owner of an existing business paying license fees based upon gross
22 sales/gross revenues shall report to the Director the gross sales/gross revenues of the previous owner
23 for the six-month period immediately preceding the purchase of the business for the purpose of
24 determining the initial license fee of the new owner.

25 (C) Fixed [fee license taxes] license fees are due in advance and shall fall due on
26 an annual basis, with the initial period commencing on the date the application for business license
27 is filed, unless otherwise provided in this Code.

28 (D) License [taxes] fees shall not be prorated based upon the fact that a business

1 does not start [at the beginning of the initial semiannual period.] when the application for a business
2 license is filed or start at any other time prior to the end of the initial semiannual license period.

3 SECTION 9: Title 6, Chapter 2, Section 230, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.02.230:** In order to renew a license the licensee must pay the appropriate license [tax] fee, and
6 where the [tax] fee is based upon gross sales/gross revenues [or amount of business,] the licensee shall
7 declare the gross sales/gross revenues [or amount of business he did] in the last preceding semiannual
8 license period. The payment of a license [tax] fee does not by itself entitle the licensee to renewal of
9 a license.

10 SECTION 10: Title 6, Chapter 2, Section 250, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **6.02.250:** (A) All [licenses] license fees other than gambling and liquor [licenses] license fees
13 shall become delinquent if [the license fee is] not received [on or before the fifteenth day] within
14 fifteen days after the due date. If full payment is not made [more than] within fifteen days after the
15 due date, fifteen percent of the entire license fee shall be assessed as a penalty, payable in addition to
16 the license fee; provided, however, if the fifteenth day following the due date is a Saturday, Sunday
17 or holiday, the penalty must not be assessed if the license fee is received before five p.m. of the next
18 day which is not a Saturday, Sunday or holiday. Assessed penalty charges are due on or before the
19 thirtieth day after the license fee due date.

20 (B) All licenses for which fees and assessed penalty charges have not been paid
21 within thirty days after the license fee due date may be suspended by the Director [of Finance and
22 Business Services, or the Director's designee,] and, if suspended, shall not be reinstated until the
23 license fees and assessed penalty charges[, unless deferred pursuant to Subsection (C) of this Section,]
24 have been paid.

25 (C) [If the assessed penalty charges are not paid or are only partially paid when the
26 semiannual license fees are paid, payment of the unpaid assessed penalty charges or balance thereof
27 may be deferred and paid with the license fees for the next semiannual license period; provided,
28 however, that the deferment does not apply if the amount of the penalty charges exceed twenty-five

1 dollars, and penalty charges may not be deferred for more than one license period.] The Director may
2 refer any delinquent license fees and assessed penalty charges to a collection agency for collection if
3 they have not been paid within thirty days after the license fee due date.

4 SECTION 11: Title 6, Chapter 2, Section 300, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.02.300:** [A licensee may change the location of the licensed business by filing a form to be
7 provided by the Director, who shall approve such transfer if the new location meets all the
8 requirements of this Code and such applicant pays the processing fee required by LVMC 6.02.085
9 upon filing of such application.] Before relocating a business, a licensee shall apply to the Director
10 on forms provided by the Department for permission to relocate such business. Within thirty calendar
11 days of receipt of the application the Director shall approve such relocation if the new location meets
12 all the requirements of this Code and the licensee has paid the processing fee required by LVMC
13 6.02.085.

14 SECTION 12: Title 6, Chapter 2, Section 310, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **6.02.310:** [All persons licensed to do business under this Title shall report to the Director on a
17 form acceptable to the Department any change in business name from that designated in the original
18 business license application within fifteen days after such change occurs and pay the processing fee
19 required by LVMC 6.02.085.] A person licensed to do business under this Title shall report to the
20 Director on forms provided by the Department any proposed change in business name from that
21 designated in the original business license application prior to such change, and shall pay the change
22 of name processing fee required by LVMC 6.02.085 upon the filing of such report.

23 SECTION 13: Title 6, Chapter 2, Section 320, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.02.320:** (A) Licensees have a continuing duty and obligation to notify the Department within
26 fifteen days of additions, deletions, changes or modifications in the information furnished the
27 Department and this duty continues as long as a valid license remains in effect. Failure to report any
28 change that alters the licensing status of the licensee or business is unlawful.

1 (B) A licensee may be required, in the discretion of the Director, to apply for a
2 [new] different license if changes in the licensee's business operations alters the original purpose for
3 which the business was licensed. [The burden is on the licensee to show that the changes have not
4 altered the original business purpose.]

5 (C) A licensee may be required, in the discretion of the Director, to apply for a new
6 license if the changes in the licensee's business operations have not previously been reviewed for
7 compliance with City zoning, building and fire code regulations.

8 (D) The burden is on the licensee to show that the changes in business operations
9 have not altered the original business purpose.

10 SECTION 14: Title 6, Chapter 2, Section 350, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **6.02.350:** A licensee under this [Chapter] Title shall be subject to disciplinary action not only for
13 acts or omissions done by such licensee but also for acts and omissions done by the principals,
14 managers, agents, representatives, servants or employees of such licensee.

15 SECTION 15: Title 6, Chapter 4, Section 5, of the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.04.005:** (A) Unless specifically provided otherwise in this Code, each person doing business

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1 in the City shall pay to the Department of Finance and Business Services, in advance, a semiannual
2 license fee based on the gross sales of the business according to the following schedule:

Semiannual Gross	Semiannual Fee
\$0 — \$12,000	\$25
12,001 — 18,000	35
18,001 — 24,000	42
24,001 — 30,000	54
30,001 — 45,000	66
45,001 — 90,000	78
90,001 — 135,000	90
135,001 — 180,000	100
180,001 — 240,000	120
240,001 — 300,000	167
300,001 — 360,000	200
360,001 — 420,000	230
420,001 — 480,000	270
480,001 — 540,000	300
540,001 — 600,000	350
600,001 — 660,000	370
660,001 — 720,000	400
720,001 — 780,000	440
780,001 — 840,000	470
840,001 — 900,000	500
900,001 — 960,000	540
960,001 — 1,020,000	570
1,020,001 — 1,080,000	600
1,080,001 — 1,140,000	640
1,140,001 — 1,200,000	670
1,200,001 and over	multiplied by .00056

24 (B) In order to administer the provisions of this Title and provide statistical and
25 demographic information, the Department shall have the authority to administratively create business
26 licensing categories or classifications, with license fees based upon gross sales or gross revenue, for
27 businesses which do not [fir] fit into existing categories or classifications.

28 SECTION 16: Title 6, Chapter 4, Section 10, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby repealed.

SECTION 17: Title 6, Chapter 4, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.04.020: (A) Persons doing business in the licensing categories described in the Sections of this Chapter that follow shall pay in advance a semiannual or annual license fee at the specified rates.

(B) For administrative purposes, the Director may bill the initial and subsequent annual license fee referenced in Subsection (A) of this Section on a semi-annual basis.

SECTION 18: Title 6, Chapter 4, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.04.030: Businesses within the following licensing categories shall pay a fifty dollars annual business license fee, as set forth below:

Billiard or pool hall, The fee amount shall be charged for each billiard or pool table.

Bowling center, which is a business providing a place to engage in the sport of bowling. The fee amount shall be charged for each alley.

Tobacco dealer[--retail], which is any person licensed pursuant to NRS Chapter 370 to sell tobacco [through a vending machine or in conjunction with another gross retail license as defined in NRS Chapter 370]. The fee amount shall be charged for each sales location, whether a machine, [or other] retail location, or warehouse facility.

Express or delivery service, The fee amount shall be charged for the first vehicle used in the business, with a thirty dollar annual fee to be charged for each additional vehicle used in the business.

An applicant for this license [must] may be required by the Director to furnish a [Transportation Services Authority certificate] State license or certificate, if applicable, or written verification that such license or certificate is not required.

[Nevada registered non-business entity, which is any holding company, limited liability company, partnership, corporation or association that is registered with the Nevada Secretary of State, but does not conduct business in Nevada.]

Nonprofit commercial enterprise, which is any commercial enterprise regularly engaged in by an organization that has duly qualified as tax exempt under the Internal Revenue Code. The category

1 does not include an organization whose commercial activities consist solely of one or more of the
2 following:

- 3 (A) Occasional fundraising activities;
- 4 (B) Solicitation activities that are subject to the provisions of LVMC Chapter 6.22;
- 5 (C) The sale of items that are intended to convey a religious, political or ideological
6 message.

7 **[Shoeshine stand business,** which is a business that provides shoeshine or other footwear dyeing or
8 care, but which does not provide shoe repair or leather repair services.

9 **Transfer and storage company,** The fee amount shall be charged for the first truck used in the
10 business, with a thirty dollar annual fee to be charged for each additional truck used in the business.]

11 SECTION 19: Title 6, Chapter 4, Section 40, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.04.040:** Businesses or business locations within the following licensing categories shall pay a
14 one hundred dollars annual business license fee, as set forth below:

15 **Administrative office space,** which is an office location in which specific administrative functions
16 of a business are conducted apart from the primary business location.

17 **[Insurance agent,** which is any individual, firm or corporation appointed by an insurer to solicit
18 applications for insurance, annuity contracts or to negotiate for such contracts on behalf of the insurer.]

19 **Lawn and landscape maintenance,** which is any business that provides lawn or landscape
20 maintenance but is not required to have a State contractor's license.

21 **Motor transportation service,** which is any person who provides passenger transportation service
22 for hire, excluding a taxi service. An applicant for this license must furnish a certificate of public
23 convenience and necessity from the Transportation Services Authority in accordance with NRS
24 Chapter 706, or evidence of exemption from the certificate requirement. The fee amount shall be
25 charged for each vehicle operated as part of the business, except that any vehicle which is devoted
26 exclusively to public transportation as designated by a local government within Clark County is
27 exempt from the license fee requirement.

28 **Public bus service,** which is any person who operates a privately owned bus service for the purpose

1 of transporting members of the general public from place to place within the City. The fee amount
2 shall be charged for each bus used in the transportation service. Before a license application may be
3 approved by the City Council, the applicant must file with the City Clerk a map designating the
4 proposed service routes, and must meet all Transportation Service Authority requirements.

5 **Sightseeing bus or limousine service**, which is any person who operates a transportation service
6 utilizing buses or limousines to transport passengers for hire, but which is not operated over fixed
7 routes or between pre-established points. The fee amount shall be charged for each vehicle used in
8 the transportation service. An applicant for this license must furnish a certificate of public
9 convenience and necessity from the Transportation Services Authority, as obtained in accordance with
10 NRS Chapter 706.

11 **Skating rink**, which is any business that offers to the public for a fee the use of any facility, regardless
12 of surface type, for the purpose of skating. The term "skating" includes roller skating, ice skating or
13 any other type or form of skating or skateboarding.

14 **Travel and ticket agency**, which is any person in the business of purchasing and reserving hotel
15 accommodations, transportation, show tickets, entertainment or other vacation incidentals for tourists
16 or other persons. The category does not include any person who furnishes reservations or tickets
17 exclusively for services in an establishment owned by that person.

18 **Truck rental agency**, which is any business that offers trucks for rent. The fee amount shall be
19 charged for each truck available for rental.

20 SECTION 20: Title 6, Chapter 4, Section 50, of the Municipal Code of the City of Las
21 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **6.04.050:** Businesses within the following licensing categories shall pay a one hundred fifty
23 dollars annual business license fee, as set forth below:

24 **Armored car service**, which is a business that provides for hire the transportation of money, currency,
25 bank notes, money orders, bonds, notes, gaming chips and other valuable property, instruments or
26 documents.

27 **Artist [or art studio]**, which is any person who produces art for profit. The category does not include
28 contractors, designers, and painters (those who paint signs or other structures).

1 **[Assayer**, which is any person engaged in estimating or analyzing the value of metals, whether acting
2 as an owner, officer, associate, member or employee of a business.]

3 **Automobile detailing**, which is any mobile business engaged in the washing, waxing, cleaning or
4 detailing motor vehicles by means of human effort rather than by mechanical means. [The category
5 includes such a business whether it is conducted from a stationary location or from a mobile vehicle.]

6 **Automobile towing service**, which is a business engaged in towing motor vehicles. The category
7 does not include any service station or garage which, as an incident to providing repairs, tows
8 automobiles to its place of business to make such repairs.

9 **Bookkeeper**, which is any business or person, other than a certified public accountant or public
10 accountant, engaged in providing the service of recording the accounts, transactions or preparation of
11 tax returns on behalf of another business or person.

12 **Business support service**, which is any business that performs for one or more other businesses a
13 service that is generally performed internally to a business, including without limitation billing,
14 mailing, printing, customer service evaluations, the processing of claims or other paperwork, resident
15 agent, holding company or other miscellaneous support services[, and maintenance services that do
16 not require a contractor's license].

17 **Carwash**, which is a stationary business that offers services to clean cars by either coin operation[,]
18 or direct payment [or mobile car wash services], whether or not it is operated in conjunction with
19 another business. The services offered may include the washing, waxing, cleaning and detailing of
20 motor vehicles by human effort.

21 **Concrete pumping**, which is any business that provides to construction projects equipment that is
22 used to pump or disperse concrete products.

23 **Construction cleanup**, which is any business that removes construction materials from construction
24 sites for transportation to a disposal site. For purposes of this category, "construction materials"
25 includes without limitation wood, plaster, metals, asphaltic substances, brick, block, concrete,
26 excavation dirt, rock, stone and gravel.

27 **Contract labor service**, which is any person who, by contract, supplies employees to perform
28 temporary labor services (and only temporary labor services) for another under circumstances in which

1 the individuals performing the labor do not become employees of the recipient of the services.

2 **Designer-decorator**, which is any person who specializes in the planning or execution of the layout,
3 decorations or furnishing for any interior structure, including advice related to or sales of decorator
4 items, window and wall coverings or furnishings.

5 **Draftsman**, which is any person who prepares drawings or sketches of structures, but who is not
6 acting as an architect under NRS Chapter 623.

7 **[Factoring business**, which is any business that lends money and takes in return an assignment of
8 accounts receivable for collection.

9 **Financial investment advisor**, which is any person who, for compensation, advises others as to the
10 value of securities, promulgates or issues analyses or reports concerning securities in accordance with
11 NRS Chapter 90, or provides advice for investing in, purchasing or selling securities or other similar
12 investments.]

13 **Party planning service**, which is any business that plans parties or provides at party locations any of
14 the following services or similar services: disc jockey, clown singing telegrams, or karaoke. The
15 category does not include any business whose primary function is to provide for the supervision, care
16 or control of children.

17 **Permanent makeup**, which is any business that enhances or alters facial characteristics by inserting
18 indelible pigment under the skin or by the production of scars.

19 **Personal services**, which is any business that provides personal services, including without limitation
20 a wake-up service, reminder service, errand service, vehicle registration service, personal chef or cook
21 service, or shopping service. The category does not include any service that is designated or included
22 in another category identified in this Title.

23 **Rental referral service**, which is any person who provides a listing or referral service for the rental
24 of apartments, equipment, or other types of rentals. The category does not include any person or
25 business that is required to be licensed under NRS Chapter 645.

26 **Riding horse rental**, which is any person who provides riding horses for rent or provides boarding,
27 stabling or training for riding horses.

28 **School**, which is any institution or place of education or instruction, or any individual acting as a tutor,

1 facilitator, trainer or otherwise providing instruction in a skill, [who is governed by the provisions of
2 NRS Chapter 394,] except for an institution or individual offering post-secondary education.

3 **[Securities/mutual fund sales representative**, which is any person, other than a securities broker/
4 dealer or issuer, who is licensed or required to be licensed in accordance with NRS Chapter 90 and
5 who effects or attempts to effect purchases or sales of securities.]

6 **Sewer or septic drain cleaning**, which is any business that cleans sewers, drains or septic systems
7 and that does not require a State contractor's license.

8 **Shooting range**, which is any business that operates a weapons range for practice, competition,
9 training or instruction other than a law enforcement agency.

10 **Sign painting establishment**, which is any person who engages in the business of painting signs but
11 who is not required to have a State contractor's license.

12 **[Stenographer**, which is any person, other than a certified shorthand reporter or court reporter, who
13 engages in the business of typing documents for the general public or for persons other than himself
14 or his immediate employer.]

15 **Tattoo establishment**, which is any business that places indelible marks and figures upon the body
16 by inserting pigment under the skin or by the production of scars.

17 **Tennis/handball/racquetball court**, which is any business that offers to the public the use of playing
18 courts for any of the sports enumerated. The fee amount shall be charged for the first playing court
19 used in the business, with a twenty dollar annual fee to be charged for each additional playing court.

20 **Tour or tour guide**, which is any business that conducts tours or provides tour guides services to the
21 general public and is not regulated by the Nevada Transportation Services Authority.

22 **Tree trimmer**[. Each person conducting the business of tree trimming shall maintain on file with the
23 Department a certificate of insurance issued by an insurance company authorized to do business in the
24 State which shows that such person has insurance coverage of twenty-five thousand dollars total
25 liability for each occurrence, and ten thousand dollars bodily injury coverage for each person.], which
26 is any person who offers to the public tree trimming services. Each tree trimmer shall have on file
27 with the Department a certificate of insurance in an amount determined by the Director as proof for
28 property damage and bodily injury.

1 **Valet parking**, which is any person engaged in providing for customers the service of parking private
2 vehicles in a designated area. The category does not include any person who provides parking services
3 for the customers of a business and is employed by that business.

4 **Vocational rehabilitation counselor**, which is any person who is licensed or required to be certified
5 in accordance with NRS Chapter 615 and who provides the service of counseling clients relative to
6 labor market assessments, job development, job assessments or employer consultation in the area of
7 industrial or vocational rehabilitation within the health care industry.

8 SECTION 21: Title 6, Chapter 4, Section 60, of the Municipal Code of the City of Las
9 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **6.04.060:** Businesses within the following licensing categories shall pay a two hundred dollars
11 annual business license fee, as set forth below:

12 **Adult day care facility**, which is an establishment operated and maintained to provide care, for not
13 more than twelve hours at a time, on a temporary or permanent basis for aged or infirm persons.

14 **Advertising [business] or marketing service**, which is any business engaged in the act of designing,
15 producing and disseminating information to the general public, including public relations activities
16 on behalf of persons or businesses.

17 **Auto broker**, which is any person who, for a fee or any other consideration, offers to provide to
18 another person the service of arranging, negotiating or assisting in the purchase of a new or used
19 vehicle which has not been registered by the broker.

20 **Automobile leasing**, which is any business that leases automobiles or any other kind of motor vehicle
21 that is required to be licensed by the Department of Motor Vehicles and Public Safety.

22 **Babysitting service**, which is any business whose employees are sent to a home or lodging
23 establishment to care for one or more children who reside there. Each principal of the business and
24 each employee that provides care must obtain a work card pursuant to LVMC Chapter 6.86 and a
25 health card pursuant to regulations of the [Clark County] Health District.

26 **Bail agent or bail enforcement agent**, which is any person who is authorized, employed or
27 contracted by a surety or bail agent to do any of the following:

28 (A) Solicit bail transactions;

- 1 (B) Execute or countersign undertakings of [ball]bail;
- 2 (C) Pledge currency, money orders or cashier's checks as security for a [ball]bail
3 bond in connection with judicial proceedings and receive or be promised money or other things of
4 value therefor;
- 5 (D) Enforce the terms and conditions of a defendant's release from custody on bail
6 in a criminal proceeding; or
- 7 (E) Locate, apprehend, or surrender a defendant to custody. Each bail agent and
8 bail enforcement agent is required to have an appropriate State license issued in accordance with NRS
9 Chapter 697 before doing business in the City.
- 10 **Body piercing**, which is any business that pierces the skin for the purpose of inserting rings, loops,
11 studs or other implements, or which engages in the sale of those items for use in connection with body
12 piercing.
- 13 **Environmental analysis**, which is any business that tests or analyzes the quality or content of soil,
14 water, atmosphere, or other elements related to the environment.
- 15 **Health and fitness club**, which is any business that is open to the general public and that provides
16 the use of equipment or facilities for the maintenance or development of physical fitness or the control
17 of weight. [The term does not include any business that sells memberships.]
- 18 **Insurance adjuster**, which is any person who is licensed or required to be licensed as an adjuster
19 under NRS Chapter 684A and who receives compensation for acting as an adjuster, whether acting
20 as an owner, officer, associate, member or employee of a business.
- 21 **[Insurance broker**, which is any person who is licensed or required to be licensed as a broker under
22 NRS Chapter 683A and who receives compensation for acting as a broker, whether acting as an
23 owner, officer, associate, member or employee of a business.]
- 24 **Managed health care organization**, which is any person who provides, arranges, pays for, or
25 reimburses for the provision of any element of health care services and who controls the amounts to
26 be paid to health care providers by a managed care program.
- 27 **Management or [marketing] consulting service**, which is any person or firm that conducts
28 budgeting, [marketing or management counseling or consulting services] management counseling.

1 consulting service or promoting for another.

2 **Merchandise broker**, which is any person who acts as an agent for others in negotiating contracts,
3 purchases, the sale of goods, wares or services and who does not take possession of the merchandise.

4 **Photography business**, which is any business that takes photographs for eventual sale to a client or
5 customer of the business.

6 **Remote motor vehicle rental**, which is an automobile ticket rental agency or transportation rental
7 agency location with no vehicles on site.

8 **Residential facility for groups**, which is a facility as defined in NRS 449.017.

9 **Residential home care provider**, which is any person who provides or contracts to provide medical
10 supervision, general care, nursing or housekeeping services to the sick, injured or dependent within
11 a home setting, whether on a temporary or permanent basis.

12 **Sales or service agent or representative**, which is any person who sells, solicits, negotiates, offers
13 or performs on behalf of another person the transaction of any instrument or finance related service,
14 including but not limited to insurance, financial or investment advice, securities or similar activities,
15 whether the instrument or service is in possession of the agent or representative and whether the agent
16 or representative is an employee or under contract to perform these activities.

17 **Wire service**, which is any person who engages in the business of transmitting or receiving
18 [information or] funds by means of a communication system in which the transmission and reception
19 stations are directly connected by one or more telephones or computers.

20 **Youth employment organization**, which is any for-profit or nonprofit organization whose primary
21 purpose is to hire minors to sell a product or service, either door-to-door or at a fixed location.
22 Principals of an organization must obtain a work card pursuant to LVMC Chapter 6.86. Each
23 organization must comply with State Labor Commission regulations and must first obtain the written
24 consent of the parent or legal guardian of each minor before they are hired.

25 SECTION 22: Title 6, Chapter 4, Section 65, of the Municipal Code of the City of Las
26 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **6.04.065:** (A) Unless otherwise provided in this Chapter, each professional business located
28 in the City shall pay an annual business license fee, based on the number of professionals it employs,

1 at the rate of two hundred dollars for the first professional and one hundred and fifty dollars for each
2 additional professional. For administrative purposes, the City may opt to bill for these business
3 license fees on a semiannual basis.

4 (B) Each professional business located outside of the City and which does business
5 in the City shall pay an annual business license fee of two hundred dollars.

6 (C) In accordance with Section 6.04.005, each professional business shall pay a
7 semiannual business license fee based on its gross sales of products or services within the City not
8 related to or required in the performance of professional services.

9 (D) Each professional business shall pay whichever is greater, an annual license fee
10 based on its gross revenue or a license fee based on a flat amount per professional employee pursuant
11 to Subsection (A) of this Section if there are more than one hundred professional employees working
12 for the professional business.

13 SECTION 23: Title 6, Chapter 4, Section 80, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.04.080:** Businesses within the following licensing categories shall pay a three hundred dollars
16 annual business license fee, as set forth below:

17 **Answering message service**, which is any person who provides services such as telephone answering,
18 forwarding, message taking, paging or voice mail services.

19 **Appraiser**, which is any person, other than a real estate appraiser [or assayer], who estimates the
20 worth or features of an item of personal property.

21 **Collection agency**, which is any person that is licensed or required to be licensed as a collection
22 agency under NRS Chapter 649.

23 **Credit reporting agency**, which is a person described in NRS 598C. 100(1). The fee amount shall
24 be charged for each office location.

25 **Mini warehouse**, which is any person who operates a facility divided into individual spaces as an
26 owner, officer, associate, member or employee of a business.

27 **Radio station**, which is any establishment located in the City that is licensed or required to be licensed
28 by the Federal Communications Commission and is engaged in the commercial transmission of radio

1 broadcasting by means of electromagnetic signals over public airways, public airwaves, public
2 spectrum or by means of a site available over the Internet.

3 **Warehouse or storage**, which is any person who engages in the business of storing the personal
4 household goods and effects of another, and who holds himself out to the public as providing such
5 storage.

6 SECTION 24: Title 6, Chapter 4, Section 110, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.04.110:** Businesses within the following licensing [categories] category shall pay a six
9 hundred-sixty dollars annual business license fee, as set forth below:

10 **[Commodity brokerage**, which is any establishment engaged in the business of effecting transactions
11 in commodity options as defined in NRS 91.100, whether as broker-dealers, agents or issuers as those
12 terms are defined in NRS Chapter 91.

13 **Securities or mutual fund broker/dealer**, which is any person engaged in the business of effecting
14 securities transactions for the account of another or for his own account in accordance with NRS
15 Chapter 90.

16 **Stockbrokerage**, which is any establishment engaged in the business of effecting transaction in
17 securities as defined in NRS 90.295.]

18 **Commodity or securities broker or dealer**, which is any person engaged in the business of effecting
19 transactions in commodity options or securities transactions.

20 SECTION 25: Title 6, Chapter 4, Section 140, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **6.04.140:** Businesses within the following licensing categories shall pay a one thousand dollars
23 annual business license fee, as set forth below:

24 **[Bank**, which is any corporation, including a commercial bank or a banking corporation, that is under
25 a State or Federal charter and that conducts the business of receiving money as demand deposits or
26 otherwise carrying on a banking and trust business. The fee amount shall be charged to each principal
27 banking facility and each branch facility thereof. Savings and loan association, which is any
28 cooperative association organized and licensed under NRS Chapter 673. The fee amount shall be

1 charged to each principal facility and branch facility thereof.]

2 **Bank, commercial bank or banking corporation**, which is any establishment, whether chartered
3 by the State or Federal government, conducting the business of receiving money as demand deposits
4 or otherwise carrying on banking or banking trust business. The fee shall be charged to each principal
5 facility and branch facility thereof.

6 **Non-depository lender**, which is any person who is licensed or required to be licensed under NRS
7 Chapter 604A to operate a check-cashing service, deferred deposit loan service, high-interest loan
8 service, or title loan service.

9 **Thrift company**, which is any company licensed as such under NRS Chapter 677. The fee amount
10 shall be charged to each principal facility and branch facility thereof.

11 **Time-share project broker**, which is any person defined as such in NRS [1 19A.090.] 119A.090.

12 **Time-share representative**, which is any person defined as such in NRS [1 19A.120.] 119A.120.

13 **Time-share sales agent**, which is any person defined as such in NRS [1 19A.130.] 119A.130.

14 SECTION 26: Title 6, Chapter 6, Section 50, of the Municipal Code of the City of Las
15 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **6.06.050:** (A) The City Council may grant preliminary approval of an application for a license
17 when such approval is requested by an applicant for any good and sufficient reason.

18 (B) The Council may impose requirements on any such preliminary approval, and
19 the Department [of Business Activity] shall issue the license only after all requirements are satisfied.

20 (C) All such requirements must be satisfied and the license issued within six
21 months after the date of the preliminary approval unless the Council specifies a shorter or longer
22 period in its preliminary approval.

23 SECTION 27: Title 6, Chapter 6, Section 51, of the Municipal Code of the City of Las
24 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.06.051:** (A) At the request of an applicant, [The] the City Council or, as authorized by
26 Subsection (C)), the Director may grant a temporary license pending [its] the Council's decision
27 regarding a license application in order to determine:

28 (1) The applicant's fitness for a license; and

- 1 (2) The appropriateness of the applicant's business location.
- 2 (B) A temporary license shall not be granted under this Section unless:
- 3 (1) All principals required to be approved for suitability have submitted a
- 4 complete investigation packet for determination of suitability and paid all applicable fees;
- 5 (2) The Director makes a preliminary finding that all of the principals of
- 6 the business are suitable; and
- 7 (3) The applicant has submitted a completed and accurate license
- 8 application and has paid all required application fees.
- 9 (C) The Director shall have the authority to issue temporary licenses under this
- 10 Section for business licenses within the following categories:
- 11 (1) Ice cream truck;
- 12 (2) Mobile food vendor; and
- 13 (3) Reflexology.

14 SECTION 28: Title 6, Chapter 6, Section 100, of the Municipal Code of the City of

15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **6.06.100:** [Each applicant shall pay to Metro, at the time of filing an application for a license, or

17 an approval for suitability, the following nonrefundable investigation fee deposits:

- 18 (A) For a license \$200.00;
- 19 (B) For an approval of suitability \$150.00.] Each applicant shall pay the following
- 20 non-refundable fee deposits at the time of filing an application for a license or approval for suitability
- 21 with the Department:

- 22 (A) Two hundred dollars made payable to Metro for investigation of a license
- 23 application.
- 24 (B) One hundred-fifty dollars made payable to Metro for investigation of an
- 25 approval for suitability application.

26 SECTION 29: Title 6, Chapter 6, Section 110, of the Municipal Code of the City of

27 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

28 **6.06.110:** After receipt of the completed application for a license or approval [of] for suitability,

1 the Director [may] shall refer the matter to Metro for [further] investigation. Upon completion of the
2 investigation, the Director shall submit the application to the City Council for its actions. In the event
3 the City Council has issued a temporary license pursuant to this Chapter, the Director may upon
4 receipt of Metro's completed investigation submit the application for a license to the City Council for
5 its action at any time prior to the expiration of the temporary license.

6 SECTION 30: Title 6, Chapter 6, Section 130, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.06.130:** [Notwithstanding Section 6.06.050, the Director of Business Activity in his discretion
9 may waive a principal from the requirement of an approval for suitability if in his opinion the principal
10 is so far removed from the operation of the business that he will not likely exercise significant
11 influence over the business. Any principal who has been so waived may later be required at the
12 discretion of the Director to apply and be found suitable in order to continue his association with the
13 business.] Notwithstanding Section 6.06.050, the Director may waive one or more principals from the
14 requirement of approval for suitability, provided that at least one principal other than a manager must
15 be subject to the requirement of an approval for suitability. Any principal who has been so waived
16 may later be required at the discretion of the Director to apply and be found suitable in order to
17 continue his or her association with the business.

18 SECTION 31: Title 6, Chapter 6, Section 160, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.06.160:** Any person whose license or approval for suitability has been denied, cancelled or
21 revoked as part of the City's disciplinary process may not apply for a license or approval for suitability
22 until one year following the effective date of such action.

23 SECTION 32: Title 6, Chapter 6, Section 195, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.06.195:** (A) It shall be unlawful for any licensee subject to this Chapter or any employee or
26 agent of said licensee to pay any fee, tip, gift, or gratuity of any kind to any taxicab driver for the
27 delivery of any passenger to the business location of the licensee. This Section does not apply to
28 promotional packages or arrangements whereby a licensee pays a tip or gratuity directly to a taxicab

1 company in advance as part of the promotional package or arrangement.

2 (B) Any person who is convicted of violating [subsection] Subsection (A) of this
3 Section shall be punished by a fine of not less than two hundred fifty dollars nor more than one
4 thousand dollars or by imprisonment for a term of not more than six months, or by any combination
5 of such fine and imprisonment.

6 SECTION 33: Title 6, Chapter 6, Section 200, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.06.200:** (A) The applicant has a continuing duty and obligation to notify the Department in
9 writing within fifteen days of additions, deletions, changes or modifications in the information
10 furnished the Department and this duty continues as long as a valid license or approval for suitability
11 remains in effect.

12 (B) The Director shall send a written notice requiring that an application for a new
13 business license be filed by a licensee if the Director determines that the reported changes in the
14 information from that contained in the licensee's original application or subsequent information
15 updates constitutes a substantial change in the business operations from those originally or
16 subsequently approved.

17 (C) A licensee shall file a new business license application with the Department
18 within fifteen days after receiving the Director's written request. Upon receipt of the new application,
19 the Director shall place it on the next available City Council agenda for review and action, subject to
20 the requirements of the Nevada open meeting law.

21 (D) The Director may require a licensee to suspend its altered business operations
22 until the City Council has acted upon a licensee's new license application. Notice of the suspension
23 shall be included in the notice required pursuant to Subsection (B) of this Section.

24 (E) A licensee shall not continue or resume its altered operations if the City Council
25 finds that they are in violation of the provisions of LVMC 6.02.090 and 6.02.330 through 6.02.350
26 or for other good cause they should not be permitted.

27 SECTION 34: Title 6, Chapter 6, Section 210, of the Municipal Code of the City of
28 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.06.210:** Prior approval must be obtained from the City Council for a licensee or a holder of
2 approval for suitability to do any of the following acts:

- 3 (A) Convey the license from one person to another;
- 4 (B) Change the location of a license from one premises to another premises within
5 the City limits;
- 6 (C) Change the name of the business operating under a license; or
- 7 (D) Transfer any ownership interest or voting control to a person who, because of
8 the transfer, would be required to be approved for suitability.

9 SECTION 35: Title 6, Chapter 6, Section 230, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.06.230:** Any person who has ownership interest in or voting control of the licensee equal to or
12 greater than ten percent of the entire ownership or voting control of a licensee must notify the
13 Department within fifteen days of subjecting such ownership interest or voting control to any security
14 interest or other encumbrance.

15 SECTION 36: Title 6, Chapter 6, Section 250, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.06.250:** (A) A licensee may be subject to disciplinary action as set forth in Sections 6.02.330
18 through 6.02.360.

19 (B) A principal approved for suitability may be subject to disciplinary action by the
20 City Council for good cause, which may include, but is not limited to:

21 (1) The application is incomplete or contains false, misleading or fraudulent
22 statements with respect to any information required in the application;

23 (2) The principal fails to satisfy any qualification or requirement imposed
24 by this Code, or other local, State or Federal law or regulation pertaining to the particular approval for
25 suitability sought or held;

26 (3) The principal illegally resides in the United States;

27 (4) The principal is or has engaged in a business, trade or profession without
28 a valid license, permit, approval for suitability or work card when he knew that one was required or

1 under such circumstances that he reasonably should have known one was required;

2 (5) The principal has been subject, in any jurisdiction, to disciplinary
3 action of any kind against a license, permit, approval for suitability or work card to the extent that such
4 disciplinary action reflects on the qualification, acceptability or fitness to be approved for suitability;

5 (6) The principal has committed acts which would constitute a crime
6 involving moral turpitude or involving any Federal, State or local law or regulation relating to the
7 same or a similar business;

8 (7) When substantial information exists which tends to show that the
9 principal is dishonest or corrupt;

10 (8) The principal lacks sufficient financial, technical or educational ability
11 or experience to conduct or perform the activity for which approval for suitability is sought;

12 (9) The principal, or his or her employees or those acting on their behalf,
13 violates any condition upon which approval for suitability was granted;

14 (10) The principal has engaged in deceptive practices upon the public; or

15 (11) The principal suffers from a legal disability under the laws of the State.

16 SECTION 37: Title 6, Chapter 6, Section 290, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.06.290:** A licensee who is affected by an emergency order issued under Section 6.06.270 may
19 appeal the order by filing an appropriate action in the State of Nevada District Court to challenge or
20 seek review of the order. Such action to appeal must be filed within ten calendar days after the
21 effective date of the emergency order or the right to appeal is deemed waived.

22 SECTION 38: Title 6, Chapter 6, Section 300, of the Municipal Code of the City of
23 Las Vegas, Nevada, 1983 Edition, is hereby repealed.

24 SECTION 39: Title 6, Chapter 6A, Section 15, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **6.06A.015:** No person, firm or corporation shall perform the services of, or conduct, manage or
27 engage in the business or selling books, magazines, periodicals, news publications, films, tapes or
28 discs without first obtaining a license from the Director [of the Department of Finance and Business

Services]. Licensed grocery stores, drugstores, convenience stores, and gift shops with a newsstand selling periodicals, magazines and newspapers, incidental to food and drug items are exempted from the provisions of this Chapter, provided they do not sell or offer for sale books, magazines, periodicals, news publications, films, tapes or discs which are obscene or which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities, or specified anatomical areas.

SECTION 40: Title 6, Chapter 6A, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06A.020: After receipt and review of the application, the Director shall issue a license if:

(A) The business for which a license is required in this Chapter will be carried on in a building, structure and a location which complies with the requirements and meets the standards of the health, zoning, fire and safety laws [of the State of Nevada and ordinances of the City of Las Vegas] and ordinances of the State and City applicable thereto; and

(B) The applicant, its employee, agent, partner, director, officer, stockholder or manager has not knowingly made any false, misleading or fraudulent statement of material fact in the application for permit, or in any report or record required to be filed with the Department [of Finance and Business Services].

SECTION 41: Title 6, Chapter 6A, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.06A.030: For the purpose of ensuring the proper zoning of adult bookstores, all bookstores shall keep a record of the sales of all books, magazines, films, tapes, discs and other periodicals. The records so required shall categorize such sales as either adult or nonadult. Sales are classified as adult if the particular book, magazine, film, tape, disc or other periodical is distinguished or characterized by emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, and the record shall include the sales price of each such adult or nonadult item. The sales records shall be maintained for a period of thirty-six months from the date of sale for purposes of auditing by the Department [of Finance and Business Services]. Exempted from this requirement are adult bookstores located in C-M and M districts which have received zoning approval, [pursuant

1 to LVMC 19.74; or which operate pursuant to nonconforming uses which satisfy the requirements
2 specified in LVMC 19.74.040.] or which otherwise satisfy the requirements of, Title 19.

3 SECTION 42: Title 6, Chapter 6B, Section 50, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.06B.050:** (A) Application for an adult nightclub license shall be made to the Director [of the
6 Department of Finance and Business Services].

7 (B) An application for adult nightclub license shall be verified by the applicant and
8 shall contain or set forth the following information:

9 (1) The name, address, telephone number, principal occupation and age of
10 the applicant;

11 (2) The name, address and principal occupation of the managing agent or
12 agents of the business;

13 (3) The business name, business address and business telephone number
14 of the establishment or proposed establishment together with a description of the nature of the
15 business and magnitude thereof;

16 (4) Whether the business or proposed business is the undertaking of a sole
17 proprietorship, partnership or corporation. If a sole proprietorship, the application shall set forth the
18 name, address, telephone number and principal occupation of the sole proprietor. If a partnership, the
19 application shall set forth the names, addresses, telephone numbers, principal occupations and
20 respective ownership shares of each partner, whether general, limited or silent. If a corporation, the
21 application shall set forth the corporate name, a copy of the articles of incorporation, and the names,
22 addresses, telephone numbers and principal occupations of every officer, director and shareholder, and
23 the number of shares held by each;

24 (5) The names, addresses, telephone numbers and principal occupations of
25 every person, partnership or corporation having any interest in the real or personal property utilized
26 or to be utilized by the business or proposed business or having any right or interest to any portion of
27 the profits, or receiving or having the right to receive any payment from the business which is not
28 directly related to utility costs;

1 (6) A description of all other business enterprises (sales or services) which
2 shall occur on the premises; and

3 (7) Whether the applicant, anyone having a ten-percent interest in the
4 business or proposed business, or anyone having an interest in the real property or personal property
5 utilized or to be utilized by the business or proposed business or anyone having a right to ten percent
6 of the proceeds of the business other than utilities has:

7 (a) Ever been convicted of or forfeited bail for any crime, excluding
8 minor traffic offenses and, if so, the application shall state the person involved, the charge, date, court,
9 and disposition of the charges,

10 (b) Ever had a business license denied, revoked or charges filed
11 therefor, and if so, the application shall state the person involved, the name of the business, date,
12 jurisdiction, and outcome of any hearing, or

13 (c) Ever owned, operated, been employed by a swingers club, an
14 escort service, an outcall promoter establishment, a brothel or adult nightclub, and if so, the name of
15 the business, dates involved and position or interest therein.

16 (C) The applicants shall present themselves to [the Las Vegas Metropolitan Police
17 Department] Metro for investigation and fingerprinting and shall pay such investigation and
18 fingerprint fee as is required by LVMC 6.86, and shall reveal to [the Las Vegas Metropolitan Police
19 Department] Metro such information as is required to properly identify the applicant to enable the
20 investigation of the applicant's arrests and convictions, licensing and litigation record and verify the
21 accuracy and completeness of the application.

22 (1) In all cases where the applicant for a license is a corporation, it shall be
23 necessary for all of the officers of such corporation to present themselves for investigation and
24 fingerprinting. All stockholders with ten percent or more stock, or who exercise management or
25 control of the corporation are required to present themselves for investigation and fingerprinting.

26 (D) An adult nightclub license shall be a semiannual license renewable by payment
27 of semiannual license fees as found in LVMC 6.06B.100.

28 SECTION 43: Title 6, Chapter 6B, Section 60, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2 **6.06B.060:** (A) The Director [of the Department of Finance and Business Services] shall issue
3 or deny the license to the applicant within thirty days from the receipt of a complete application and
4 fees upon compliance with all the requirements and conditions of this Chapter. Failure of the Director
5 to approve or deny the license application within the thirty days shall result in the license being
6 granted.

7 (B) The Director shall consider the application by examination of:

8 (1) The circumstances of the applicant's criminal reputation, associations
9 and business history;

10 (2) The reports of [the Las Vegas Metropolitan Police Department] Metro;

11 (3) The proposed business operation of the applicant; and

12 (4) The reports of the building, fire, zoning and health departments.

13 (C) The Director shall not grant the license if:

14 (1) The applicant, whether an individual or any of the stockholders, officers
15 or directors, if a corporation, or any of the partners, if a partnership, including limited partners, or the
16 manager or other person principally in charge of the operation of the business, or any person receiving,
17 or having a right to receive any sum from, or percentage of the profits due to an interest in or sale of
18 the business, has been convicted within a five-year period immediately prior to the date of the
19 application of crimes of embezzlement; or any crime involving fraud, consumer fraud or intent to
20 defraud, or extortion; or has violated the law regarding fraudulent advertising;

21 (2) The operation as proposed by the applicant would not comply with all
22 applicable laws, including, but not limited to, this Title and the City's building, zoning, fire and health
23 regulations; or

24 (3) The applicant, whether an individual or any of the ten percent
25 stockholders or officers, if a corporation, or any of the partners, if a partnership, including limited
26 partners, or the manager or other person principally in charge of the operation of the business, or any
27 person receiving, or having a right to receive any sum from, or percentage of the profits due to an
28 interest in or sale of the business, has had a business license revoked pursuant to LVMC 6.35 (Erotic

1 Dance Establishments), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment), and [19.74] 19.04
2 (Sexually Oriented Businesses), or this Chapter within a two-year period immediately prior to the date
3 of the application.

4 (D) If the applicant is denied, the Director shall notify the applicant with the
5 reason(s) stated for denial. Notification shall be sent certified, United States mail, return receipt
6 requested, to the address provided on the license application which shall be considered the correct
7 address. Each applicant has the burden to furnish any change of address to the Director, by United
8 States certified mail, return receipt requested.

9 (E) In the event that an application is denied, the applicant may file or cause to be
10 filed in the district court a petition for judicial examination of the validity of the denial or the adult
11 nightclub establishment license as provided by Chapter 34 of NRS.

12 SECTION 44: Title 6, Chapter 6B, Section 70, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.06B.070:** No person shall work as an attendant or server at an adult nightclub without a valid
15 work [identification] card issued by [the Las Vegas Metropolitan Police Department] Metro.

16 SECTION 45: Title 6, Chapter 6B, Section 80, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.06B.080:** (A) Each attendant and server, whether a full- or part-time employee, who works
19 or renders services in a licensed adult nightclub establishment, shall obtain prior to the commencement
20 of work, and keep in force during the term of his/her license or employment, a work [identification]
21 card for adult nightclub issued under LVMC 6.86 and 6.06B. The investigation of issuance of a work
22 [identification] card will include a fingerprint check by the Federal Bureau of Investigation. Work
23 [identification] cards applied for pursuant to this Chapter shall be granted or denied within ten
24 working days of application subject to the provisions of LVMC 6.86.080.

25 (B) [The Las Vegas Metropolitan Police Department] Metro may deny the issuance
26 of or renewal of a work [identification] card required by this Chapter for the following reasons:

27 (1) The applicant has made false, misleading or fraudulent statements with
28 respect to any material fact contained in the application for a work [identification] card;

1 (2) The applicant has been convicted of any crimes involving fraud,
2 consumer fraud or intent to defraud, prostitution, solicitation of prostitution, or has violated the law
3 regarding fraudulent advertising within two years of application for this specific work card;

4 (3) The applicant has violated code regulations, as set out within LVMC
5 6.06B.090, or has had a business license revoked pursuant to LVMC 6.35 (Erotic Dance
6 Establishments), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment), [19.74] 19.04 (Sexually Oriented
7 Businesses), or this Chapter within two years of the application for this specific work card;

8 (4) A work [identification] card of the applicant has previously been
9 revoked within one year of the date of application pursuant to LVMC 6.35 (Erotic Dance
10 Establishments), 6.36 (Escort Bureau), 6.57 (Outcall Entertainment), [19.74] 19.04 (Sexually Oriented
11 Businesses), or this Chapter, or the issuance or renewal thereof has been denied by the City [of Las
12 Vegas] or any other government entity within one year of the date of application for any reason set out
13 in paragraphs (1), (2) or (3) above.

14 (C) Any work [identification] card issued for this Chapter may only be suspended
15 or revoked for grounds set forth in Subsections above pursuant to the procedures set forth in
16 LVMC 6.86.

17 SECTION 46: Title 6, Chapter 6B, Section 85, of the Municipal Code of the City of
18 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.06B.085:** The following persons are required to secure work [identification] cards in accordance
20 with LVMC 6.86:

21 (A) All security guards working in or employed by an adult nightclub must obtain
22 a work [identification] card pursuant to LVMC 6.86. In addition to the grounds stated in LVMC 6.86,
23 a work [identification] card may be denied for conviction of assault, battery, fraud or conspiracy to
24 commit any such crime. Security guards in adult nightclubs shall not carry firearms, knives,
25 nightsticks, clubs, or chemical or electronic weapons.

26 (B) All owners if applicants are individual; stockholders owning ten percent or
27 more stock, officers and directors, if applicant is a corporation; and partners, including limited and
28 general partners, if applicant is a partnership; and manager or other person principally in charge of the

1 operation of the business, must obtain a work [identification] card from the Las Vegas Metropolitan
2 Police Department, as required in LVMC 6.86. A work [identification] card may be denied for any
3 grounds set out in LVMC 6.86. A work [identification] card may be denied for any grounds set out
4 in LVMC 6.06B.060(C)(1) or (3) or LVMC 6.06B.080(B).

5 SECTION 47: Title 6, Chapter 6B, Section 110, of the Municipal Code of the City of
6 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.06B.110:** (A) The [Las Vegas] City Council shall not act to revoke or suspend an adult
8 nightclub license until after:

9 (1) The licensee is given at least ten days['] written notice of the specific
10 charges;

11 (2) A hearing is held before the [Las Vegas] City Council at which time the
12 licensee may present such evidence and defense as may bear upon the question.

13 (B) The adult nightclub license shall be revoked or suspended if the licensee
14 maintains or conducts business in any building or structure which is structurally unsafe, or does not
15 provide adequate egress, or which constitutes a fire hazard, or which is otherwise dangerous to human
16 life or safety, or which in relation to existing use constitutes a hazard to safety or health, or public
17 welfare, by reasons of inadequate maintenance, dilapidation or obsolescence.

18 (C) The adult nightclub license shall be revoked or suspended if the licensee has
19 knowingly made any false, misleading or fraudulent statement of material fact in the application for
20 a license or in any semiannual report required to be filed with the Department (LVMC 6.06B.100) or
21 record required to be kept for three years (LVMC 6.06B.100) or knowingly caused or suffered another
22 to furnish such false, misleading or fraudulent information or withhold such required information on
23 his, her or its behalf.

24 (D) Any license issued pursuant to this Chapter may be revoked or suspended upon
25 a finding that the licensee, its agent, employee, attendant, server, partner, director, officer, stockholder,
26 manager or person exercising managerial authority of or on behalf of the licensee has:

27 (1) Committed an act for which the licensee is convicted or found guilty
28 or liable in any court subsequent to the filing of an application for a license, of a felony or any crime

1 involving moral turpitude, fraud, deception, false pretenses, misrepresentation, false advertising,
2 prostitution, solicitation of prostitution, aiding and abetting an act of prostitution as defined in LVMC
3 10.36, violation of NRS 201.255 or 47 U.S.C. 233, pandering, crime related to racketeering, or
4 racketeering activity or racketeering enterprise as defined in NRS 207.360, et seq., or dealing
5 controlled substances;

6 (2) Provided sexual stimulation or offer to provide acts of sexual conduct
7 to a patron of the adult nightclub establishment;

8 (3) Failed to file, or files a false, misleading or incomplete report required
9 by this Chapter to be filed, or files such report thirty or more days after the due date;

10 (4) Violated any regulation set out in this Chapter;

11 (5) That the licensee has conducted or advertised an adult nightclub under
12 a fictitious name which is unlicensed pursuant to this Chapter;

13 (6) Published, uttered, disseminated or conveyed either publicly or
14 privately, to an individual any false, deceptive or misleading statements or advertisements in
15 connection with the operation of the licensed business pursuant to this Chapter;

16 (7) Committed any act constituting dishonesty or fraud, or committed any
17 unlawful, false, fraudulent, deceptive or dangerous act while conducting the licensed business; or

18 (8) Advertised through any publication, dissemination or display whether
19 by hire, contract or otherwise directly or indirectly in any newspaper, magazine or other publication,
20 by any radio, television, telephone or pictorial display, publication, handbill or other advertising media
21 which depicted any person or object or which contained any statement which suggested to a
22 reasonable, prudent person that prostitution or any other illegal act, service or product was offered or
23 provided;

24 (9) Otherwise violated any provision of this Chapter. The fact that the
25 licensee shall post notices disclaiming prostitution and/or alcoholic beverage sales does not excuse
26 any charge of any of the above listed acts if an implication or expression that sexual stimulation is
27 provided or an expression that alcoholic beverage is sold is more convincing than such notice or
28 disclaimer.

1 (E) In the event the adult nightclub establishment license is suspended or revoked,
2 except for building or fire code violation, the license suspension or revocation shall be stayed for five
3 working days from the date of the written notice to the licensee for the licensee to seek judicial review.
4 The licensee may waive the stay provision in writing, or the City may seek sooner to enforce the
5 suspension or revocation by filing in the district court a petition for judicial review as provided by
6 NRS 43.100 or by seeking alternative relief pursuant to Chapter 34 of NRS.

7 SECTION 48: Title 6, Chapter 6B, Section 130, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.06B.130:** It is unlawful for any person or business entity to engage in business as an adult
10 nightclub or as attendant and/or server within the City [of Las Vegas] without first obtaining a license
11 or permit therefor as provided in this Chapter. Any person, firm or corporation violating this Section
12 shall be guilty of a misdemeanor and each such person, firm or corporation shall be deemed guilty of
13 a separate offense for each and every day during which the violation is committed, continued or
14 permitted, and upon conviction of any such violation, such person, firm or corporation shall be
15 punished by a fine of not less than two hundred fifty dollars for the first offense; not less than five
16 hundred dollars for the second offense; not less than nine hundred fifty dollars for the third offense;
17 and a fine of one thousand dollars plus not less than one week imprisonment for the fourth or
18 additional offenses. In no case shall any sentence exceed more than a one thousand dollar fine and/or
19 six months imprisonment; provided, no person shall be deemed guilty of any violation of this Chapter
20 if acting in an investigative capacity pursuant to the request of [the Las Vegas Metropolitan Police
21 Department or] Metro or the Director.

22 SECTION 49: Title 6, Chapter 8, Section 20, of the Municipal Code of the City of Las
23 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **6.08.020:** As used in this Chapter, unless the context otherwise requires, the words and terms
25 defined in this Section have the meanings ascribed to them herein, as follows:

26 “Administrative Oversight Committee” or “AOC” means the committee established by the Interlocal
27 Agreement for Ambulance Service Regulation adopted by the County, the City of Las Vegas and the
28 City of North Las Vegas on July 18, 2001; or the City if the AOC is terminated or if the City

1 withdraws its participation in the interlocal agreement.

2 “Advanced life support” or “ALS,” whether used alone or as a modifier of other nouns, has the same
3 meaning as the definition of that term in the Code of Federal Regulations (42 CFR 414.605), as may
4 be amended. Likewise, the terms “ALS1” and “ALS2” have the same meanings as the definitions of
5 those terms in 42 CFR 414.605, as may be amended.

6 “Air ambulance” means an aircraft, both fixed wing and rotary wing aircraft, especially designed,
7 constructed, modified or equipped to be used for the transportation of injured or sick persons. “Air
8 ambulance” does not include any commercial aircraft carrying passengers on regularly scheduled
9 flights.

10 “Ambulance” means a motor vehicle which is specially designed, constructed, equipped and staffed
11 to provide basic, intermediate or advanced care for one or more:

12 (1) Sick or injured persons; or

13 (2) Persons whose medical condition may require special observation during
14 transportation. For the purposes of this Chapter, the term “ambulance” specifically excludes
15 nonmedically supervised patient transports and special event medical service transports.

16 “Ambulance service” means the emergency medical care and transport, the non-emergency medical
17 care and transport service, including inter-facility ambulance transport service, or both, which are
18 provided to patients utilizing an ambulance with appropriately licensed personnel. The term
19 “ambulance service” does not include the use of vehicles for nonmedically supervised patient transport
20 service, air ambulance service or special event medical service transports.

21 “Applicant” means a person who submits a completed application for a franchise as set forth in this
22 Chapter.

23 “Application” means all written documentation, statements, representations and warranties provided
24 to the City by an applicant, in accordance with this Chapter, to be relied upon by the City Council in
25 making its determination of whether to grant or withhold a franchise.

26 “Automatic Vehicle Locator” or “AVL” means the automated system used to track or determine the
27 physical location of ambulance vehicles through a Global Positioning System (GPS), on a
28 computerized mapping system that is integrated with the Fire Alarm Office.

1 “Basic life support” or “BLS” has the same meaning as the definition of that term in the Code of
2 Federal Regulations (42 CFR 414.605), as may be amended.

3 “City” means the City of Las Vegas, Nevada.

4 “City Council” means the governing body of the City.

5 “City Manager” means the City Manager appointed by the City Council to perform such
6 administrative functions of the City government as may be required of him or her by the City Council,
7 or his or her designee.

8 “Computer-aided dispatch” or “CAD” means dispatching of emergency vehicles through the computer
9 technology to calls for service.

10 “CPI-MCS” means the Consumer Price Index (CPI) for all Urban Consumers: U. S. City Average,
11 Series CUUR0000SAM2, Medical Care Services, as published by the U. S. Department of Labor,
12 Bureau of Labor Statistics, Washington, D.C.

13 “Critical care transport” (CCT) or “specialty care transport” (SCT) both have the same meaning as the
14 term “specialty care transport” as defined in the Code of Federal Regulations [(CFR)] (42 CFR
15 414.605), as may be amended.

16 “Department” means the Department of Finance and Business Services.

17 “Director” means the Director of the Department of Finance and Business Services, or his or her
18 designee.

19 “Emergency” has the same meaning as that term is defined by the Health District, as may be amended.

20 “Emergency medical care” means medical care given to a patient in an emergency situation before the
21 patient arrives at a hospital or other medical facility and until responsibility for the patient is assumed
22 by the medical staff at such facility.

23 “Emergency medical service” or “EMS” means a system consisting of a chain of services linked
24 together to provide emergency medical care for the patient at the scene, during transport, and upon
25 entry at a hospital or other medical facility.

26 “EMS priority dispatch” means a dispatch system:

27 (1) Whereby Certified Emergency Medical Dispatchers (EMD’s) give lifesaving pre-arrival
28 instructions to person requesting the same; and

1 (2) Which provides for the dispatch of the appropriate level of emergency vehicle response,
2 A, B, C, D or E as determined by use of a priority card or computer program, based on the severity
3 of the medical emergency.

4 “Emergency medical technician-intermediate” or “EMT-Intermediate” means a person who is
5 qualified, in accordance with the Health District regulations as an EMT-Basic and who is also
6 qualified in accordance with the Health District regulations to perform essential advanced techniques
7 and to administer a limited number of medications.

8 “Emergency medical technician-paramedic” or “EMT-Paramedic” means a person possessing the
9 qualifications of the EMT-Intermediate and also, in accordance with the Health District regulations,
10 as having enhanced skills that include being able to administer additional advanced life support
11 interventions and medications.

12 “Emergency response” has the same meaning as the definition of that term in the Code of Federal
13 Regulations (42 CFR 414.605), as may be amended.

14 “Financial statements” means audited financial statements of the local operation of the franchised
15 business. Financial statements are to include: balance sheet, income statement, statements of cash
16 flows, and statement of retained earnings.

17 “Fire Alarm Office” or “FAO” means the office referred to as Firecom in the Health District
18 regulations which is administered by the City of Las Vegas through an interlocal agreement among
19 the City of Las Vegas, the City of North Las Vegas, and Clark County, or the successor to that office.

20 “Fire Department” means the City’s Department of Fire and Rescue.

21 “Franchise” means the authorization granted to a person by the City Council to provide ambulance
22 service within the City’s rights-of way, highways, streets, roads and alleys. The terms and conditions
23 of such authorization will be described in a franchise agreement specific to such purpose.

24 “Franchise agreement” means the written agreement entered into between the City and a franchisee
25 evidencing the City’s authorization for a franchisee to provide ambulance service requiring the
26 franchisee to comply with the terms of this Chapter and incorporating such other reasonable provisions
27 as the City Council deems appropriate.

28 “Franchise service area” or “service area” means the geographic area of the City, including any

1 sub-zones thereof, specified in a franchise agreement wherein a franchisee is authorized and required
2 to provide ambulance service.

3 “Franchisee” means the person to whom an ambulance service franchise is granted by the City Council
4 pursuant to this Chapter.

5 “Health District” means the [Clark County] Southern Nevada Health District, its officers and
6 authorized agents.

7 “Health District regulations” means the applicable EMS regulations adopted by the [Clark County]
8 District Board of Health, as they may be amended from time to time.

9 “Health Officer” means the Health Officer of the Health District.

10 “Inter-facility ambulance transport service” means an emergency or a nonemergency transport of a
11 patient by ambulance that originates and terminates at previously designated medical facilities or
12 locations.

13 “Loaded mileage” has the same meaning as the definition of that term in the Code of Federal
14 Regulations (42 CFR 414.605), as may be amended.

15 “Maximum ambulance service rate” means the maximum amount that a franchisee may bill a patient
16 or other payer for the level of ambulance service provided to the patient, as established in this Chapter,
17 including all ancillary services and supplies used in providing ambulance service.

18 “Mutual aid” means ambulance service provided within the franchise service area in response to a
19 request by a franchisee through the FAO for assistance from another franchisee to provide ambulance
20 service in the requesting franchisee’s authorized service area pursuant to an agreement between the
21 franchisees that is on file with the AOC.

22 “Nonemergency ambulance service” prearranged non-911 dispatched ambulance service provided to
23 patients with non-life-threatening conditions that does not require the use of lights and sirens,
24 including without limitation nonemergency ambulance service requested at special events and other
25 non-911-dispatched ambulance service requests that would be categorized as nonemergency transfers
26 or level 33-A calls (as that term is approved and endorsed by the Health District) when processed
27 through EMS priority dispatch protocol.

28 “Nonmedically supervised patient transfer service” means the transportation of a person that does not

1 require any medical supervision, observation or care while en route, as permitted by the State of
2 Nevada Transportation Services Authority.

3 “Response time” means the time period measured from receipt by a franchisee of electronically
4 transferred information from the FAO dispatch facility on the patient location, EMS priority dispatch
5 code, and call-back number to the time when the ambulance dispatched to the incident arrives and
6 reports that it is “on scene” as that term is defined by the AOC, or when the dispatched ambulance en
7 route to an incident is canceled by the FAO dispatch.

8 “Rights-of-way” means property dedicated to, granted to, or held or prescriptively used by the City
9 for public street, alley, road and highway purposes.

10 “Service category” means the type or level of ambulance service that is specified in a franchise granted
11 pursuant to this Chapter.

12 “Seven-digit request for emergency service” means any telephone request for emergency ambulance
13 service that is received directly by a franchisee from any source, including representatives of law
14 enforcement agencies, which is required to be electronically transferred immediately to the FAO
15 system.

16 “Special event” means activities such as, but not limited to, sporting events, off-road vehicle races,
17 speedway races, concerts, fairs and parades occurring on a specific date and time at a specific location.

18 “Special event medical service” or “SEMS” means the providing of medical care to the participants
19 and members of the public in attendance at a special event pursuant to a contractual arrangement
20 between a special event medical service provider or a franchisee and the special event owner, operator,
21 promoter, organizer or any other person authorized to enter into such contractual arrangements on
22 behalf of the special event.

23 “Special event medical service provider” or “SEMS provider” means a person who has obtained a
24 special event medical service provider business license pursuant to Title 6 of this Code and special
25 purpose ambulance service permits required pursuant to Health District regulations.

26 “Special event vehicle” means the special purpose vehicle permitted by Health District regulations
27 which for the purposes of this Chapter may be used for the sole purpose of providing standby medical
28 coverage at predesignated special events. Except as otherwise provided in this Chapter, the term does

1 not include a vehicle which provides ambulance service over City rights-of-way.

2 "Street" means the surface of the full width of the right-of-way, including alleys, sidewalks and
3 thoroughfares, places or ways of any kind used by the public or open to the public as a matter of right
4 for the purpose of vehicular traffic or vehicular and pedestrian traffic.

5 "Sub-zone" means a portion of a franchise service area as defined in a franchise agreement.

6 "Transfer of ownership or control" means any transaction in which:

7 (1) Any ownership or other right, title, or interest of more than five percent in a franchisee
8 or its ambulance service is transferred, sold, assigned, leased, sublet, or mortgaged, directly or
9 indirectly, voluntarily or involuntarily, in whole or in part;

10 (2) There is any change or transfer of control of a franchise or ambulance service;

11 (3) The rights, obligations, or both, which are held by a franchisee under its ambulance
12 franchise are transferred, directly or indirectly, to another party;

13 (4) Any change or substitution occurs in the managing general partners of a franchisee,
14 where applicable; or

15 (5) A franchisee, or its corporate parents at any level, enter into any transaction that
16 materially increases the debt that is to be borne by the franchisee, directly or indirectly, in a manner
17 that will adversely affect users of the ambulance service.

18 "Transponder" means an electronic device affixed to an ambulance that activates the private access
19 gates located within the franchise service area.

20 "Unforeseen economic circumstance" means:

21 (1) That within a given twelve-month calculation period the percentage change in the
22 CPI-MCS was greater than ten percent or less than zero (decrease); or

23 (2) Another circumstance or set of circumstances which the City Council determines to
24 have had a significant effect on the cost of providing ambulance service.

25 "Volunteer ambulance service" means volunteer ambulance service which is authorized and operated
26 under the direct supervision of the Fire Department.

27 SECTION 50: Title 6, Chapter 9, Section 40, of the Municipal Code of the City of Las
28 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.09.040:** A person licensed to conduct or operate an apartment house shall notify the Department
2 [of Finance and Business Services] of a change in the management of the apartment house within ten
3 days after the change takes place. A new manager who has not completed the landlord training
4 program shall have forty-five days to complete the program and thirty days to obtain a work card.

5 SECTION 51: Title 6, Chapter 9, Section 50, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.09.050:** Neither the payment of a semiannual license fee, nor the renewal or pending renewal
8 of a license under this Chapter, shall in any way limit the enforcement of this Chapter. The
9 Department [of Finance and Business Services] may delay, withhold or rescind renewal action pending
10 verification of compliance with this Chapter.

11 SECTION 52: Title 6, Chapter 10, Section 80, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.10.080:** (A) Any Department representative or officer of [the Las Vegas Metropolitan Police
14 Department] Metro finding or observing any child under the age of eighteen being on or upon any
15 place in violation of this Chapter may cite the child or the child's parent, legal guardian or other
16 responsible person who is over the age of twenty-one, or both the child and the child's parent, legal
17 guardian or other responsible person.

18 (B) A representative of [the Las Vegas Metropolitan Police Department] Metro may
19 temporarily detain and release the child, release the child to the custody of his or her parent or legal
20 guardian, or take the child to the Clark County Juvenile Court Services.

21 SECTION 53: Title 6, Chapter 14, Section 120, of the Municipal Code of the City of
22 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.14.120:** (A) The licensee shall keep a record of all sales, the amount paid and the dates of
24 each sale. The records shall be open at all reasonable times for inspection by employees of the
25 Department and [the Las Vegas Metropolitan Police Department] Metro.

26 (B) In addition thereto, if the auction is of jewelry:

27 (1) The licensee shall keep a copy of the inventory filed with the
28 Department and before the commencement of the sale on any day shall indicate thereon in an

1 appropriate manner the items sold, if any, on the previous day, and the date thereof;

2 (2) The licensee shall also keep a daily record of the inventory number of
3 each item sold, the date of the sale, and the name of the purchaser thereof;

4 (3) If any items listed on the inventory are sold or disposed of otherwise
5 than by sale at auction, such fact, with full particulars thereof, shall be entered on the record provided
6 for in Paragraph (2) of this Subsection; and

7 (4) With ten days after the termination of the auction, the copy of the
8 inventory and the separate record of disposition of goods, together with a list of the items set out on
9 the inventory and not shown on the report to have been sold or otherwise disposed of, shall be
10 delivered to the Department.

11 SECTION 54: Title 6, Chapter 16, Section 70, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.16.070:** The Director shall refer the application for a permit to [the Las Vegas Metropolitan
14 Police Department] Metro for an investigation. Upon completion of the investigation the Director
15 shall approve, deny or take such other action with respect to such application as he considers
16 appropriate. The Director may deny, revoke or suspend a permit for good cause which includes but
17 is not limited to:

18 (A) The application is incomplete or contains false, misleading or fraudulent
19 statements with respect to any information required;

20 (B) The applicant or permittee fails to satisfy any qualification or requirement
21 imposed by this Code, or other local, State or Federal law or regulation pertaining to such activities;

22 (C) Disciplinary action has been brought against the licensee or a principal of the
23 licensee;

24 (D) The applicant or permittee fails to comply with any conditions of the license
25 or permit;

26 (E) The applicant or permittee is or has engaged in a business, trade or profession
27 without a valid license, permit, approval for suitability or work card when he knew that one was
28 required or under such circumstances that he reasonably should have known one was required;

1 (F) The applicant or permittee has been subject, in any jurisdiction to disciplinary
2 action of any kind against a license, permit, approval for suitability or work card to the extent that such
3 disciplinary action reflects on the qualification, acceptability or fitness to hold a permit;

4 (G) The applicant or permittee has committed acts which would constitute a crime
5 involving moral turpitude, prostitution or other sex crimes, or involving any Federal, State or local law
6 or regulation relating to the same or a similar business;

7 (H) When substantial information exists which tends to show that the applicant or
8 permittee is dishonest or corrupt;

9 (I) The applicant or permittee has engaged in deceptive practices upon the public;

10 (J) The applicant or permittee suffers from a legal disability under the laws of the
11 State.

12 SECTION 55: Title 6, Chapter 18, Section 60, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.18.060:** All alarm devices installed by the licensee shall terminate in an office of the licensee.
15 The [licenses,] licensee, having reason to believe a valid alarm has been set off, shall immediately
16 notify [the Las Vegas Metropolitan Police Department] Metro and dispatch his employee or employees
17 to the location of the alarm. For the purpose of notifying the police, the maximum equipment allowed
18 shall be a direct line to [the Las Vegas Metropolitan Police Department's] Metro's switchboard.

19 SECTION 56: Title 6, Chapter 18, Section 90, of the Municipal Code of the City of
20 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **6.18.090:** Upon notification by [the Law Vegas Metropolitan Police Department] Metro or other
22 source that a ringer-type alarm is ringing, the licensee shall immediately dispatch an employee or
23 employees to the location

24 SECTION 57: Title 6, Chapter 18, Section 100, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **6.18.100:** When notifying [the Las Vegas Metropolitan Police Department] Metro of an alarm,
27 the licensee shall state his business name and furnish the exact address from which the alarm
28 originated, the name and type of establishment, and, if more than one floor or department, the precise

1 location of the alarm shall be given and the type of alarm, such as silent robbery, silent burglary, or
2 ringer-type alarm.

3 SECTION 58: Title 6, Chapter 19, Section 40, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.19.040:** It is unlawful for an owner, operator or business to fail to keep records and to make
6 them available for inspection by [a police officer] Metro or the Department at the site of the carnival
7 or circus operation during all hours it is open for business which contain:

- 8 (A) The name and address of each concession owner and operator;
- 9 (B) The name and address of each person working at a concession;
- 10 (C) The wages, salary, or commission paid and hours worked by each such person;
- 11 (D) The gross receipts of each concession;
- 12 (E) The amount of stock or merchandise dispensed to the players of each game
13 concession; and
- 14 (F) The name, address, age and extent of injuries of any person injured on the
15 premises where the carnival or circus is conducted.

16 SECTION 59: Title 6, Chapter 19, Section 130, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.19.130:** Each traveling circus or carnival operator shall file with the Department [of Business
19 Activity] a certificate of insurance issued by an insurance company authorized to do business in the
20 State which names the City as an additional insured and which shows that such person has insurance
21 coverage of at least six hundred thousand dollars total liability for each occurrence, and at least two
22 hundred thousand dollars bodily injury coverage for each person.

23 SECTION 60: Title 6, Chapter 19, Section 140, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.19.140:** Each traveling circus or carnival shall pay a license fee in advance of one hundred
26 dollars for each day the traveling show shall be in operation; except, that the City Council may, upon
27 the application of any person issued a license under this Chapter, reduce the license fee to twenty-five
28 dollars per day, if the City Council finds that such business will not require supervision on the part

1 of the City or [the police] Metro over and above that normally required for other businesses.

2 SECTION 61: Title 6, Chapter 22, Section 30, of the Municipal Code of the City of
3 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.22.030:** An application for a permit shall be made to the Director [of the Department of
5 Business Activity] upon forms provided by the Department. The application shall contain the
6 following information:

7 (A) The name, address or headquarters of the person applying for the permit;

8 (B) If the applicant is not an individual, the names and addresses of the applicant's
9 principal officers and managers;

10 (C) The purposes for which such solicitation is to be made, the total amount of
11 funds proposed to be raised thereby, and the use or disposition to be made of such funds;

12 (D) The names and addresses of the person or persons by whom the receipts or
13 proceeds of such solicitation are to be disbursed;

14 (E) The names and addresses of the person or persons who will be in direct charge
15 of conducting the solicitation;

16 (F) An outline of the method or methods to be used in conducting the solicitation;

17 (G) The time when such solicitations are to be made, giving the dates for the
18 beginning and ending of such solicitation;

19 (H) An itemized statement or budget of the estimated cost of solicitation;

20 (I) The names and addresses of all professional promoters and professional
21 solicitors who will be connected with the solicitation and the amount of wages, fees, commission,
22 expenses, or emoluments to be paid to each professional promoter, and a copy of the contract, if any,
23 given each professional promoter;

24 (J) An itemized financial statement showing all receipts and the disbursements
25 thereof for one year immediately preceding the date of the filing of the application;

26 (K) A statement to the effect that, if the permit is granted, it will not be used or
27 represented in any way as an endorsement by the City of the solicitation conducted thereunder.

28 SECTION 62: Title 6, Chapter 22, Section 40, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2 **6.22.040:** If, while any application is pending or during the term of any permit granted pursuant
3 thereto, there is any change in fact, policy or method that would alter the information given in the
4 application, the applicant shall notify the Department [of Business Activity] in writing thereof within
5 twenty-four hours after such change.

6 SECTION 63: Title 6, Chapter 22, Section 50, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.22.050:** (A) Upon receipt of a completed application the Director [of the Department of
9 Business Activity] shall issue a temporary solicitations permit pending review of the application. In
10 deciding whether to issue a permanent solicitations permit, the Director shall determine whether or
11 not:

12 (1) Each of the statements made in the application is true;
13 (2) The application is complete; and
14 (3) The applicant has violated any of the grounds provided in Section
15 6.02.330 et seq.

16 (B) At the conclusion of its review with respect to an application, the Director [of
17 the Department of Business Activity] shall make his findings with respect to each of the makers
18 contained in Paragraphs (1) through (3) of Subsection (A) and shall make his decision either to
19 approve or to reject such application, which decision, if it is for rejection, shall set forth completely
20 and with specificity the reasons therefor and the City shall promptly seek a declaratory judgment to
21 the constitutionality of the Director's decision to deny the permit and restrain the solicitation. Until
22 such judicial decision is rendered, the temporary permit issued when the completed application was
23 first received by the Department pursuant to this Section shall remain in effect. If the decision is for
24 approval of the application, the permit issued shall specify the time period, not to exceed one year for
25 which the permit is valid.

26 SECTION 64: Title 6, Chapter 22, Section 55, of the Municipal Code of the City of
27 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

28 **6.22.055:** The Director [of the Department of Business Activity] shall have the authority to set

1 conditions on a permit which may include, but are not limited to, requiring the permittee to furnish
2 each principal, agent, employee, promoter and solicitor a copy of a valid charitable solicitation permit
3 stating the name of the organization conducting the solicitation, the type of solicitation, the purpose
4 for which the contribution is to be used and the time when such solicitations are to be made, giving
5 the dates for beginning and ending of such solicitation. A copy of the charitable solicitation permit
6 shall be exhibited to every person solicited.

7 SECTION 65: Title 6, Chapter 22, Section 70, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.22.070:** Each permittee conducting a solicitation shall furnish to the Director [of the
10 Department of Business Activity] within thirty days after the conclusion of the solicitation, a report
11 showing the gross amount raised by the solicitation and showing an itemization of the costs of
12 solicitation, including what was paid to each professional promoter and professional solicitor
13 employed in such solicitation and the disposition of the balance of the contributions collected by the
14 solicitation.

15 SECTION 66: Title 6, Chapter 22, Section 160, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.22.160:** Whenever the Director [of the Department of Business Activity] upon affidavit of
18 supporting facts finds that a person holding a permit under this Chapter has violated or is violating
19 Section 6.22.065 through Section 6.22.150, inclusive, the City shall notify the permittee by mail or
20 personal service of process of such violation and seek judicial review of the violations. Should the
21 court determine by appropriate legal standard that a violation has or is occurring, the court may issue
22 an order allowing the City to revoke the solicitations permit.

23 SECTION 67: Title 6, Chapter 22, Section 170, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.22.170:** At the hearing the permittee, or any other interested person, shall have the right to
26 present evidence pertaining to the charges. Upon request of the Department [of Business Activity]
27 the permittee shall produce the books and records relating to its solicitations required to be kept by
28 this Chapter if they are pertinent to the matter under investigation.

1 SECTION 68: Title 6, Chapter 22, Section 230, of the Municipal Code of the City of
2 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **6.22.230:** (A) No professional promoter shall commingle his personal funds with
4 contributions collected through a charitable solicitation.

5 (B) Every professional promoter shall establish a special trustee bank account for
6 each charitable solicitation with which he is connected, into which shall be placed all money coming
7 into his hands in connection with such solicitation.

8 (C) Separate books or records shall be kept by a professional promoter for each
9 solicitation, showing the amount of each contribution coming into his hands and the name of the
10 person making such contribution. Such books or records shall also show all disbursements made of
11 the contributions.

12 (D) All such books, records and special trustee bank accounts shall be subject to
13 audit by the Director [of the Department of Finance and Business Services] or his representatives.

14 SECTION 69: Title 6, Chapter 24, Section 190, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **6.24.190:** A child care facility licensee may change his or her location of operation by filing a
17 form furnished or approved by the Department. The Department shall approve the change of location
18 if the location meets all of the requirements of this Code and the [Clark County] Health District, and
19 upon payment of all appropriate license fees.

20 SECTION 70: Title 6, Chapter 26, Section 20, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **6.26.020:** The application must be made to the Director [of Business Activity] upon forms
23 provided by the Department [of Business Activity].

24 SECTION 71: Title 6, Chapter 27, Section 20, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **6.27.020:** (A) It is unlawful for any person to commence, engage in or carry on a business of
27 commercial dance instruction without first obtaining and thereafter maintaining a valid unexpired
28 license pursuant to this Chapter.

1 (B) Every commercial dance studio that is in existence and licensed on August 7,
2 1988, shall have sixty days thereafter in which to comply with the provisions of this Chapter.

3 (C) In addition to the information that is required by LVMC Chapter 6.02, an
4 applicant for a commercial dance studio license shall provide the Director with the following
5 information:

6 (1) A completed personal history questionnaire, a personal financial
7 questionnaire, and an applicant's release of information form of all principals of the business;

8 (2) Exact copies of all sales presentations that will be used, including
9 without limitation the initial sales and renewal sales presentations and any financial information that
10 will be requested from the purchaser;

11 (3) An exact copy of the contract for commercial dance instruction and
12 other services that will be used by the commercial dance studio for a course in commercial dance
13 instruction.

14 (D) Each commercial dance studio instructor and seller, before commencing his or
15 her employment as such, shall obtain, and shall at all times thereafter, during the course of such
16 employment, maintain a work card that has been issued by [the Metropolitan Police Department]
17 Metro in accordance with the procedures and requirements of LVMC Chapter 6.86.

18 SECTION 72: Title 6, Chapter 32, Section 30, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.32.030:** Upon receipt of the application, the Director may have the same considered by various
21 departments or agencies such as [the Las Vegas Metropolitan Police Department, Fire Department]
22 Metro, Fire and Rescue Department and the Building and Safety Department for their consideration
23 and approval. Upon completion of the review of the application, the Director shall approve, deny or
24 take such other action with respect to such application as he considers appropriate. The Director in
25 approving a permit may set such conditions as he determines is required for the health, safety and
26 general welfare of the public. The Director may deny, revoke or suspend a permit for good cause,
27 which includes but is not limited to:

28 (A) The application is incomplete or contains false, misleading or fraudulent

1 statements with respect to any information required.

2 (B) The proposed public dance would interfere with the health, safety or general
3 welfare of the public or constitute a breach of peace.

4 (C) The proposed public dance fails to satisfy any qualification or requirement
5 imposed by this Code, or other local, State or Federal law or regulation pertaining to such activities.

6 (D) The applicant fails to comply with any conditions of the permit.

7 SECTION 73: Title 6, Chapter 35, Section 60, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.35.060:** (A) Application for an erotic dance establishment license shall be made to the
10 Director.

11 (B) An application for an erotic dance establishment license shall be verified by the
12 applicant and shall contain or set forth the following information:

13 (1) The name, address, telephone number, principal occupation and age of
14 the applicant;

15 (2) The name, address and principal occupation of the managing agent or
16 agents of the business;

17 (3) The business name, business address and business telephone number
18 of the establishment or proposed establishment, together with a description of the nature of the
19 business and magnitude thereof;

20 (4) Whether the business or proposed business is the undertaking of a sole
21 proprietorship, partnership or corporation. If a sole proprietorship, the application shall set forth the
22 name, address, telephone number and principal occupation of the sole proprietor. If a partnership, the
23 application shall set forth the names, addresses, telephone numbers, principal occupations and
24 respective ownership shares of each partner, whether general, limited or silent. If a corporation, the
25 application shall set forth the corporate name, a copy of the articles of incorporation, and the names,
26 addresses, telephone numbers and principal occupations of every officer, director and shareholder
27 (having more than ten percent of the outstanding shares) and the number of shares held by each;

28 (5) The names, addresses, telephone numbers and principal occupations of

1 every person, partnership or corporation having any interest in the real or personal property utilized
2 or to be utilized by the business or proposed business;

3 (6) A description of all other business enterprises (sales or services) which
4 shall occur on the premises;

5 (7) Whether the applicant, anyone having a ten-percent interest in the
6 business or proposed business, or anyone having an interest in the real property or personal property
7 utilized or to be utilized by the business or proposed business or anyone having a right to ten percent
8 of the proceeds of the business other than utilities has:

9 (a) Ever been convicted of or forfeited bail for any crime, excluding
10 minor traffic offenses and, if so, the application shall state the person involved, the charge, date, court,
11 and disposition of the charges,

12 (b) Ever had a business license denied, revoked or charges filed
13 therefor, and if so, the application shall state the person involved, the name of the business, date,
14 jurisdiction, and outcome of any hearing,

15 (c) Ever owned, operated an escort service, an outcall promoter
16 establishment, a brothel or adult nightclub theater, and if so, the name of the business, dates involved
17 and position or interest therein.

18 (C) The applicants shall present themselves to [the Metropolitan Police] Metro for
19 investigation and fingerprinting and shall pay such investigation and fingerprint fee as is required by
20 LVMC 6.86, and shall reveal to [the Metropolitan Police] Metro such information as is required to
21 properly identify the applicant to enable the investigation of the applicant's arrests and convictions,
22 licensing and litigation record and verify the accuracy and completeness of the application.

23 (1) In all cases where the applicant for a license is a corporation, it shall be
24 necessary for all of the principal officers of such corporation to present themselves for investigation
25 and fingerprinting. All stockholders above ten percent or who exercise management of the corporation
26 are required to present themselves for investigation and fingerprinting.

27 (D) Applications shall be accompanied by a nonrefundable fee of twenty-five
28 dollars.

1 (E) An erotic dance establishment license shall be a semiannual license renewable
2 by payment of semiannual license fees as found in LVMC 6.35.120(A).

3 SECTION 74: Title 6, Chapter 35, Section 70, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.35.070:** (A) The Director [of the Department of Finance and Business Services] shall issue
6 or deny the license to the applicant within thirty days from receipt of a complete application and fees
7 upon compliance with all the requirements of this Section and any applicable provisions of Title 6 of
8 this Code. Failure of the Director to approve or deny the license application within the thirty days
9 shall result in the license being granted.

10 (1) That upon the expiration of the thirty days the applicant may demand
11 a license and begin operating the erotic dance establishment for which a license is sought, unless and
12 until the Director notifies the applicant of a denial of the license application and states the reason for
13 the denial. (This provision shall not create a reliance or estoppel situation as to this license or any
14 other provisions of this code.)

15 (B) The Director shall consider the application by examination of:

- 16 (1) The information provided within the submitted application;
17 (2) The circumstances of the applicant's criminal reputation, association
18 and business history;
19 (3) The proposed business operation of the applicant;
20 (4) The reports of zoning, building, fire and health department as applicable.

21 (C) The Director shall not grant the license if:

- 22 (1) The applicant, whether an individual or any of the stockholders, officers
23 or directors, if a corporation or any of the partners, if a partnership, including limited partners, or the
24 manager or other person principally in charge of the operation of the business, or any person receiving,
25 or having a right to receive any sum from, or percentage of the profits due to an interest in or sale of
26 the business, has been convicted within a five-year period immediately prior to the date of the
27 application of any crimes of embezzlement; or any crime involving fraud, consumer fraud or intent
28 to defraud, prostitution, solicitation of prostitution; or has violated the law regarding fraudulent

1 advertising;

2 (2) The operation as proposed by the applicant would not comply with all
3 applicable laws, including, but not limited to, this Title and the City's building, zoning, fire and health
4 regulations;

5 (3) The applicant or any ten-percent corporation shareholder or a corporate
6 officer has had a revocation of a business license for violations of code regulations pursuant to LVMC
7 6.06A (Adult Bookstores), 6.06B (Adult Nightclub Establishments), 6.36 (Escort Bureau and
8 Personnel), 6.57 (Outcall Entertainment), [19.74] 19.04 (Sexually Oriented Businesses) and this
9 Chapter, within the preceding two years.

10 (D) If the applicant is denied, the Director shall notify the applicant with the
11 reason(s) stated for denial. Notification shall be sent certified, United [states] States mail, return
12 receipt requested, to the address provided on the license application which shall be considered the
13 correct address. Each applicant has the burden to furnish any change of address to the director of
14 business license, by United States certified mail, return receipt requested.

15 (E) In the event that an application is denied, the applicant may file or cause to be
16 filed in the district court a petition for judicial examination of the validity of the denial of the erotic
17 dance establishment license as provided by Chapter 34 of NRS.

18 SECTION 75: Title 6, Chapter 35, Section 90, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.35.090:** (A) Each license and any dancer, bar personnel, waiters/waitresses or managers,
21 whether a full- or part-time employee or independent contractor, who works or renders services in a
22 licensed erotic dance establishment business or facility shall obtain prior to the issuance of the license
23 or the commencement of work and keep in force during the term of his license or employment, a work
24 [identification] card for erotic dance establishment issued under LVMC 6.86 and 6.35. The
25 investigation for issuance of a work [identification] card will include a fingerprint check by the
26 Federal Bureau of Investigation. Work cards applied for pursuant to this Chapter shall be issued on
27 the eleventh working day following application therefor unless denied within ten working days from
28 application.

1 (1) Within twenty-four hours of the receipt of a work card application by
2 a dancer, [the Las Vegas Metropolitan Police Department] Metro shall issue a temporary work card,
3 subject to completion of the investigation described herein, unless it is determined that the applicant
4 is under eighteen years of age, or is currently wanted for criminal activity, or cannot establish
5 identification.

6 (B) [The Las Vegas Metropolitan Police Department] Metro shall deny the issuance
7 or renewal of a work [identification] card for this Chapter only if:

8 (1) The application is not complete or if the applicant has made false,
9 misleading or fraudulent statements with respect to any material fact contained in the application for
10 a work [identification] card;

11 (2) The applicant has committed any crimes involving fraud, consumer
12 fraud or intent to defraud, prostitution, solicitation of prostitution, or has violated the law regarding
13 fraudulent advertising within two years of application for this specific work card; or

14 (3) The applicant has violated code regulations, as set out within LVMC
15 6.35.100, or has had a business license revoked pursuant to this Title, or the issuance or renewal
16 thereof has been denied by the City [of Las Vegas] or any other government entity within one year of
17 the date of the application for any reason set out in this subsection.

18 (C) Suspension--Revocation. Any work [identification] card issued for this Chapter
19 shall only be suspended or revoked for grounds set forth in Subsection (B) of this Section pursuant
20 to the procedures set forth in LVMC 6.86.

21 (D) In the event that an applicant's work card is denied, suspended or revoked, the
22 applicant may cause an appeal to be filed to the City Council, by filing a written appeal with the
23 Director within ten days of notice of denial, suspension or revocation in accordance with LVMC
24 6.86.150. A public hearing shall be held before the board held thereafter before the City Council
25 pursuant to LVMC 6.86.150; or the applicant may file or cause to be filed in the district court a
26 petition for judicial review of the denial, suspension or revocation pursuant to NRS 34 et seq.

27 SECTION 76: Title 6, Chapter 35, Section 110, of the Municipal Code of the City of
28 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.35.110:** All books and records required to be kept pursuant to this Chapter shall be open to
2 inspection by [the Las Vegas Metropolitan Police Department or Department of Finance and Business
3 Services] Metro or the Department during the hours when the erotic dance establishment is open for
4 business. The purpose of such inspection shall be to determine whether the books and records meet
5 the requirements of this Title.

6 SECTION 77: Title 6, Chapter 35, Section 130, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.35.130:** All security guards working in or employed by an erotic dance establishment must
9 obtain a work [identification] card. Security guards in exotic dance studios shall not carry firearms,
10 nightsticks, clubs or chemical or electronic weapons.

11 SECTION 78: Title 6, Chapter 35, Section 170, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.35.170:** It is unlawful for any person or business entity to engage in business as an erotic dance
14 establishment, manager, dancer or as attendant and/or server within the City [of Las Vegas] without
15 first obtaining a license or permit therefor as provided in this Chapter. It is unlawful for a dancer to
16 dance in a place or manner prohibited in this Chapter. Any person, firm or corporation violating this
17 Section shall be guilty of a misdemeanor and each such person, firm or corporation shall be deemed
18 guilty of a separate offense for each and every day during which the violation is committed, continued
19 or permitted, and upon conviction of such violation, such person, firm or corporation shall be punished
20 by a fine of not less than two hundred fifty dollars for the first offense; not less than five hundred
21 dollars for the second offense; not less than nine hundred fifty dollars for the third offense; and a fine
22 of one thousand dollars plus not less than one week imprisonment for the fourth or additional offenses.
23 In no case shall any sentence exceed more than a one thousand dollar fine and/or six months
24 imprisonment; provided, no person shall be deemed guilty of any violation of this Chapter is acting
25 in an investigative capacity pursuant to the request of [the Metropolitan Police Department or director]
26 Metro or the Director.

27 SECTION 79: Title 6, Chapter 36, Section 60, of the Municipal Code of the City of
28 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.36.060:** (A) The escort bureau shall provide to each patron a written contract for services.
2 The contract shall clearly state the type of services to be performed, the length of time such services
3 shall be performed; the total amount of money such services shall cost the patron and any special
4 terms or conditions relating to the services to be performed. The contract shall additionally include
5 a statement in clear and concise language that prostitution is illegal in the City and is punishable by
6 both fine and imprisonment and that no act of prostitution shall be performed in relation to the
7 services contracted for. Further, the contracts provided for in this Subsection shall be numbered and
8 utilized in numerical sequence by the escort bureau.

9 (B) The contract shall be signed by the patron and a copy furnished to him. The
10 escort bureau shall also retain a copy of each contract and shall furnish said copies to the Department
11 [of Business Activity] for their inspection upon the Department's furnishing written request therefor.

12 SECTION 80: Title 6, Chapter 36, Section 80, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.36.080:** Every escort bureau shall refer all prospective escorts and escort runners to the
15 Department [of Business Activity for application for a permit] for a permit application. Upon
16 termination of employment of any escort or escort runner with such escort bureau, such escort bureau
17 shall notify the Department, in writing, of such termination within five days thereof.

18 SECTION 81: Title 6, Chapter 36, Section 120, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.36.120:** Any person who is required to have a permit must apply for the permit from the
21 Director [of Business Activity] and pay an investigation fee of one hundred seventy-five dollars. The
22 application must be made upon forms provided by the Department and shall set forth the information
23 required which includes:

24 (A) The applicant's personal description, history, education, experience and
25 background;

26 (B) The applicant's criminal history and civil and administrative litigation history;

27 (C) The applicant's relationship to the licensee;

28 (D) In the case of an escort, the applicant shall furnish written evidence from a

1 licensed physician that the physician has examined the applicant and that the applicant is free from
2 any communicable disease;

3 (E) A recent three-by-five-inch photograph showing the applicant's head and
4 shoulders; or

5 (F) Such other information as the Director may require that reasonably relates to
6 the applicant's fitness for a permit or the nature of the service to be provided.

7 SECTION 82: Title 6, Chapter 36, Section 130, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.36.130:** The Director [of Business Activity] shall refer the application for a permit to [the
10 Metropolitan Police Department] Metro for an investigation. Upon completion of the investigation
11 the Director shall approve, deny or take such other action with respect to such application as he
12 considers appropriate. The Director may deny, revoke or suspend a permit for good cause which
13 includes but is not limited to:

14 (A) The application is incomplete or contains false, misleading or fraudulent
15 statements with respect to any information required;

16 (B) The applicant or permittee fails to satisfy any qualification or requirement
17 imposed by this Code, or other local, State or Federal law or regulation pertaining to such activities;

18 (C) Disciplinary action has been brought against the licensee or a principal of the
19 licensee;

20 (D) The applicant or permittee fails to comply with any conditions of the license
21 or permit;

22 (E) The applicant or permittee is or has engaged in a business, trade or profession
23 without a valid license, permit, approval for suitability or work card when he knew that one was
24 required or under such circumstances that he reasonably should have known one was required;

25 (F) The applicant or permittee has been subject, in any jurisdiction, to disciplinary
26 action of any kind against a license, permit, approval for suitability or work card to the extent that such
27 disciplinary action reflects on the qualification, acceptability or fitness to hold a permit.

28 (G) The applicant or permittee has committed acts which would constitute a crime

1 involving moral turpitude, prostitution or other sex crimes, or involving any Federal, State or local law
2 or regulation relating to the same or a similar business;

3 (H) When substantial information exists which tends to show that the applicant or
4 permittee is dishonest or corrupt;

5 (I) The applicant or permittee has engaged in deceptive practices upon the public;
6 or

7 (J) The applicant or permittee suffers from a legal disability under the laws of the
8 State.

9 SECTION 83: Title 6, Chapter 36, Section 190, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.36.190:** Upon termination of employment as an escort or escort runner for a licensed escort
12 bureau employer, such permittee shall surrender his permit to the Department [of Business Activity]
13 within five days of such termination of employment; it is unlawful for any escort or escort runner to
14 fail to surrender his or her permit within the time prescribed.

15 SECTION 84: Title 6, Chapter 36, Section 200, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.36.200:** In the event an escort or escort runner shall lose his or her permit it shall be the duty
18 of the escort or escort runner to report said loss to the Director [of Business Activity] within five days
19 after knowledge of the loss occurs. A fee of twenty-five dollars shall be charged by the Department
20 to issue a new permit.

21 SECTION 85: Title 6, Chapter 36, Section 210, of the Municipal Code of the City of
22 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.36.210:** Any individual who is required to have [an identification] a work card shall make
24 application for the card with [the Metropolitan Police Department] Metro and provide the information
25 requested including fingerprints and photographs. Such card when issued shall be valid for [one year,]
26 five years, except that a temporary card may be issued for [thirty] ninety days pending the final
27 issuance of the [identification] work card.

28 SECTION 86: Title 6, Chapter 39, Section 50, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2 **6.39.050:** The Director of the Department may issue a permit to provide food catering services
3 to an applicant if the Director finds there is compliance with the following provisions:

4 (A) The food catering services will be provided in accordance with the requirements
5 of the [Clark County] Health District.

6 (B) The permit shall state the date, hours, and location of the food catering services
7 permitted. Any food catering services at times or places beyond that stated in the permit shall be
8 grounds for disciplinary action.

9 (C) The food catering services will be performed consistent with this Chapter and
10 in such a manner as to pose no threats to the general health, safety, welfare or morals of the inhabitants
11 of the City.

12 (D) The food catering permit application requirements of Section 6.39.040 of this
13 Chapter have been met.

14 SECTION 87: Title 6, Chapter 40, Section 50, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **6.40.050:** (A) Any person who furnishes services or property to a gaming licensee under any
17 arrangement pursuant to which the person receives payments based on earnings, profits or receipts
18 from gaming may be required by the Director [of Business Activity] to apply for a gaming license or
19 apply for an approval of suitability to be associated with the gaming licensee.

20 (B) If such person fails to apply within twenty days of the Director's request the
21 City Council may require the licensee to terminate the arrangement.

22 (C) Failure to so terminate the arrangement is grounds for disciplinary action to be
23 taken against the licensee.

24 SECTION 88: Title 6, Chapter 40, Section 130, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **6.40.130:** (A) Any semiannual fee which is not received by the Department [of Business
27 Activity] on or before the due date shall be assessed a late-payment penalty in an amount equal to ten
28 percent of the amount of such semiannual fee.

1 (B) If the semiannual fee and penalty is not received by the Department [of
2 Business Activity] within fifteen days after the due date, an additional penalty in an amount equal to
3 twenty-five percent of such semiannual fee shall be assessed.

4 (C) If the semiannual fee and all penalties are not received by the Department
5 within sixty days after the due date, the license shall be automatically revoked.

6 SECTION 89: Title 6, Chapter 40, Section 180, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.40.180:** No provision found in LVMC 6.40.140 through 6.40.170, other than LVMC 6.40.160,
9 may be amended, modified or deleted by the City Council without a notice and public hearing as
10 herein after provided:

11 (A) Public Hearing. The Council shall hold a public hearing upon each proposed
12 amendment, modification or deletion. The public hearing shall be conducted not less than twenty-one
13 days nor more than one hundred eighty days following the first reading of the ordinance.

14 (B) The City Clerk shall give notice of the date, time and place of the public hearing
15 by mailing a notice, not less than fifteen days prior to the date of the hearing, to each nonrestricted
16 licensee in the City as shown in the license records of the Department [of Finance and Business
17 Services].

18 SECTION 90: Title 6, Chapter 42, Section 60, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.42.060:** (A) Any person desiring to engage, as principal, either in the business of a billposter
21 for hire, or in the business of distributing commercial or noncommercial handbills for hire, shall make
22 application to and receive from the Director [of the Department of Business Activity], or other officer
23 empowered to issue the same, who shall act whenever the Director is herein referred to, a license in
24 the manner and for the period prescribed by the terms of this Chapter and by all relevant provisions
25 of this Code.

26 (B) Such applicant shall make written application to the Director upon a form or
27 forms provided for such purpose by the Director. Such form shall contain, among other things that
28 may be required, the name, the business address, and a brief description of the nature of the business

1 to be conducted by the applicant, the probable number of agents and employees so to be engaged,
2 together with a request for a license for the period for which the applicant seeks to engage in such
3 business.

4 SECTION 91: Title 6, Chapter 42, Section 90, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.42.090:** Without excluding other just grounds for revocation, the [Board of Commissioners]
7 City Council, or official so empowered by law, may revoke any license obtained under an application
8 containing a false or fraudulent statement knowingly made by the applicant with intent to obtain a
9 license by means of false or fraudulent representations, or for violations of this Chapter, or any other
10 grounds specified by law.

11 SECTION 92: Title 6, Chapter 46, Section 60, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.46.060:** A collection fee is allowed for licensees of establishments referred to in Section
14 6.46.040 in an amount equal to two percent of the amount of the tax collected; providing that all the
15 taxes due the City are paid to the Department [of Finance and Business Services] on or before the
16 fifteenth day of the month following the month for which the tax is due. No collection fee is allowed
17 for payments made after that date.

18 SECTION 93: Title 6, Chapter 46, Section 80, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.46.080:** The room tax imposed by Section 6.46.040 shall be collected by the operator from the
21 paying guests and shown as an add-on to the charge for occupancy of the rooms. The operator is liable
22 to the City for such taxes whether or not they are actually collected from the paying guest. Such taxes
23 shall be paid to the Department [of Finance and Business Services] on or before the fifteenth day of
24 the month following the month in which the taxes accrued and shall be deemed delinquent if not paid
25 on or before such date.

26 SECTION 94: Title 6, Chapter 46, Section 100, of the Municipal Code of the City of
27 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

28 **6.46.100:** It is unlawful for any operator of an establishment covered by this Chapter to fail to

1 maintain adequate room records or to fail to make his or her room records available in the City during
2 City business hours to the Director [of Finance and Business Services] or any other person designated
3 by him or her for the purpose of conducting an audit within seventy-two hours' written notice.
4 Adequate records shall mean the following: journal, books of accounts, daily cash summary,
5 registration cards, general ledger, receipts register, income tax return (Schedule C of 1040 Federal Tax
6 Return for Sole Proprietorship; Form 1065 Federal Tax Return for Partnerships; Form 1041 Fiduciary
7 Income Tax Return and 1120 Federal Tax Return for Corporations), State sales tax returns, monthly
8 profit and loss statements, trial balances, folios, including any and all receipt forms, and payment
9 forms for the three-year period preceding the date of the audit. The Director or his designee has the
10 authority to look at all other books and records not specifically mentioned above which are maintained
11 by an operator in the connection with the rental of rooms.

12 SECTION 95: Title 6, Chapter 51, Section 5, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.51.005:** The [Board] City Council hereby finds that the businesses of locksmiths and safe
15 mechanics seriously affect the wellbeing of the City and its residents, and that it is necessary to
16 regulate such activities [carefully] carefully in order to insure that persons of honesty and integrity
17 are operating such businesses and that they are operated in a responsible manner to the public. Such
18 businesses must therefore comply with Chapter 6.06.

19 SECTION 96: Title 6, Chapter 52, Section 10, of the Municipal Code of the City of
20 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **6.52.010:** The City Council hereby finds that massage establishments[, massage therapists and
22 independent massage therapists] seriously affect the economic, social and moral well-being of the City
23 and its residents, that such businesses must be regulated strictly for the welfare of the public and that
24 such businesses must therefore comply with LVMC Chapter 6.06[.], as well as the provisions of this
25 Chapter. Although the Nevada Legislature has removed the ability of the City to regulate massage
26 therapists as to their qualifications and practices, the City retains its authority to:

27 (A) Require massage therapists and massage establishments to obtain a City
28 business license; and

(B) Regulate the manner in which massage establishments themselves may operate.

SECTION 97: Title 6, Chapter 52, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.52.020: Unless the context otherwise requires, the following words, as they appear in this Chapter, shall have the meanings ascribed to them in this Section:

["Certification" means certification by the National Certification Board for Therapeutic Massage and Bodywork or by a board of equivalent stature which is accredited by the National Commission for Certifying Agencies for massage and bodywork.]

"Chair [Massage] massage therapy" means [a] massage therapy administered by a massage therapist to the neck, shoulders, back, arms, hands and feet of a fully clothed client utilizing a massage chair.

"Employee" means any massage therapist who is a bona fide employee of a massage establishment.

"Independent [Massage Therapist] massage therapist" means a massage therapist who is not an employee of a massage establishment, is a sole practitioner, and hires no employees.

["Massage" means any method of treating any of the external parts of a person including, but not limited to, rubbing, stroking, kneading, tapping, pounding, vibrating or stimulating with the hands, feet, elbows or any other part of the body. All massage modalities recognized by the National Certification Board for Therapeutic Massage and Bodywork, and the American Organization for Bodywork Therapies of Asia are included in this definition.]

"Massage [Establishment] establishment" means any premises occupied and used for the purpose of performing massage therapy.

"Massage establishment licensee practitioner" means the licensee of a massage establishment who performs massage therapy.

"Massage [Therapist] therapist" means any person who, for consideration, performs any massage therapy as defined in this Section and has [met all of the requirements of this Chapter.] been licensed by the State to perform such services.

"Massage therapy" has the same meaning as set forth at NRS 640C.060.

"Outcall [Massage] massage therapy" means any massage therapy given or provided off the premises of a licensed massage establishment by a [licensed] massage therapist licensed by the City and State.

1 SECTION 98: Title 6, Chapter 52, Section 30, of the Municipal Code of the City of
2 Las Vegas, Nevada, 1983 Edition, is hereby repealed.

3 SECTION 99: Title 6, Chapter 52, Section 40, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.52.040:** [(A) Except as otherwise provided in this Section, no] No person shall engage in,
6 conduct or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises, the
7 operation of a massage establishment, or the performance of massage [as a massage therapist or as an
8 independent massage therapist,] therapy as a massage therapist or a massage establishment licensee
9 practitioner, without first obtaining and thereafter maintaining a valid unexpired license for that
10 activity pursuant to this Title.

11 [(B) Any person who is not licensed as an independent massage therapist but is
12 otherwise authorized to perform massage as a massage therapist under this Chapter may continue to
13 perform massage under that authority until October 1, 2002.

14 (C) After October 1, 2002, no person may perform massage as a massage therapist
15 without a license, or a temporary license issued in accordance with LVMC 6.02.070, to perform
16 massage as a massage therapist or an independent massage therapist.]

17 SECTION 100: Title 6, Chapter 52, Section 50, of the Municipal Code of the
18 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.52.050:** (A) Each massage establishment must pay in advance a semiannual license fee of
20 two hundred dollars[.], together with the additional license fees for professional employees described
21 in LVMC 6.04.065. A massage establishment with separate facilities for men and women shall be
22 considered a single massage establishment and shall be charged a single license fee every six months.

23 (B) Each independent massage therapist and massage establishment licensee
24 practitioner must pay in advance a semiannual license fee of one hundred dollars.

25 [(C) Each massage therapist must pay in advance a semiannual license fee of
26 seventy-five dollars.]

27 SECTION 101: Title 6, Chapter 52, Section 60, of the Municipal Code of the
28 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.52.060:** [(A)] An independent massage therapist license authorizes the licensee to:

2 [(1)] (A) Administer [a] massage therapy to a client in a [leased room in
3 a] licensed massage establishment[:];

4 [(2)] (B) Administer [a] massage therapy to a client at the client's
5 temporary or permanent residence, transient lodging or at the client's place of business; and

6 [(3)] (C) Advertise as an independent massage therapist.

7 (B) An independent massage therapist licensee [may operate from his or her
8 residential address, if such operations] must comply with all applicable provisions of the City zoning
9 regulations[:]; provided, however, an independent massage therapist may not administer massage at
10 his or her residential address without first obtaining a license for a massage establishment at that
11 location.]

12 SECTION 102: Title 6, Chapter 52, Section 70, of the Municipal Code of the
13 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.52.070:** No massage establishment[, massage therapist or independent massage therapist]
15 granted a license under the provisions of this Chapter, or principal, employee or agent thereof, shall
16 place, publish or distribute or cause to be placed, published or distributed any advertisement, picture,
17 or statement which is known or through the exercise of reasonable care should be known to be false,
18 deceptive or misleading in order to induce any person to purchase or utilize any professional massage
19 therapy services. All advertisements placed, published, distributed, disseminated or broadcast by a
20 licensee shall contain the business license number.

21 SECTION 103: Title 6, Chapter 52, Section 80, of the Municipal Code of the
22 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.52.080:** The licensee or [person designated by the licensee] principal of a massage
24 establishment shall maintain a register of all persons who at any time are employed or contracted as
25 massage therapists and their [business] City and State license numbers. Such register shall be made
26 available upon request to representatives of the Department or Metro during regular business hours.

27 SECTION 104: Title 6, Chapter 52, Section 90, of the Municipal Code of the
28 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.52.090:** Each massage establishment licensee shall display the establishment's license in an
2 open and conspicuous place on the premises of the massage establishment. The City and State license
3 of any [massage therapist and independent massage therapist] person licensed under this Chapter to
4 perform massage therapy must be carried on the licensee's person whenever the licensee is performing
5 massage[.] therapy.

6 SECTION 105: Title 6, Chapter 52, Section 100, of the Municipal Code of the
7 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.52.100:** It is unlawful for any massage establishment licensee[, or person acting for the
9 licensee,] or principal to employ any person who is not at least eighteen years of age.

10 SECTION 106: Title 6, Chapter 52, Section 110, of the Municipal Code of the
11 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **6.52.110:** It is unlawful for any massage establishment licensee to perform massage therapy
13 without first obtaining and thereafter maintaining a valid unexpired massage [therapist] establishment
14 licensee practitioner license under this Chapter.

15 SECTION 107: Title 6, Chapter 52, Section 120, of the Municipal Code of the
16 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

17 **6.52.120:** It is unlawful for [any person who is required to be licensed under this Chapter to:

18 (A) Touch or massage the genitals of a male or female client or customer or to touch
19 or massage the breast or areolas of a female client or customer.

20 (B) Massage a client of the opposite sex, except within the premises of a licensed
21 massage establishment; provided, however, that this prohibition does not apply to chair massage.

22 (C) Perform massage unless the person performing the massage is wearing
23 nontransparent outer garments that do not expose or exhibit that person's genitals, pubic area, buttocks
24 or chest.

25 (D) Expose the genitals of a client for the purpose of soliciting prostitution.]
26 a massage establishment licensee, or a principal or employee thereof, to do any of the following:

27 (A) Within a massage establishment, engage in or solicit sexual activity during the
28 course of performing massage therapy on a person, with or without the consent of the person,

1 including, without limitation, if the licensee, principal or employee:

2 (1) Made sexual advances toward the person;

3 (2) Requested sexual favors from the person; or

4 (3) Massaged, touched or applied any instrument to the breasts of the
5 person, unless the person has signed a written consent form provided by the Nevada Board of Massage
6 Therapists;

7 (B) Within a massage establishment, allow a massage therapist to engage in or
8 solicit sexual activity in violation of Subsection (A) of this Section;

9 (C) Engage in false, deceptive or misleading advertising regarding the services
10 available within a massage establishment, including, without limitation, false, deceptive or misleading
11 advertising regarding the training that a massage establishment licensee, principal or employee has
12 received.

13 SECTION 108: Title 6, Chapter 52, Section 130, of the Municipal Code of the
14 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.52.130:** Any licensed massage establishment may dispatch a licensed massage therapist to
16 administer [a] massage therapy to a client, but only if the therapy is to take place at the client's
17 transient lodging, temporary or permanent residence or at the client's place of business.

18 SECTION 109: Title 6, Chapter 52, Section 160, of the Municipal Code of the
19 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.52.160:** [In addition to the information required by LVMC Chapter 6.06 in connection with a
21 license application, an applicant for a massage therapist license or an independent massage therapist
22 license shall provide to the Department, on forms provided or approved by the Department, the
23 following:

24 (A) Proof that the applicant has a currently valid health card issued by the Clark
25 County Health District;

26 (B) Proof of current certification or a valid unexpired massage permit or license
27 issued by the Clark County Department of Business Licensing with proof of having held that permit
28 or license a minimum of twenty-four consecutive months immediately prior to making application

1 with the Department; and

2 (C) Such other information as the Director may require that reasonably relates to
3 the applicant's fitness for a license, qualifications to perform massage or the nature of the service to
4 be provided.] An applicant for a license to perform massage therapy under this Chapter shall provide
5 to the Department a valid health card issued by the Health District, if one is required by the Health
6 District, and proof of temporary or permanent licensure by the Nevada Board of Massage Therapists.

7 SECTION 110: Title 6, Chapter 52, Section 170, of the Municipal Code of the
8 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.52.170:** (A) The Director shall refer applications for a massage establishment license[,
10 massage therapist license or independent massage therapist license] to Metro for investigation. Upon
11 completion of the investigation, the Director shall refer an application for a massage establishment
12 license to the City Council for approval, denial or such other action as the Council considers
13 appropriate.

14 (B) The City Council may deny, revoke or suspend a massage establishment license
15 for good cause, which includes but is not limited to:

16 (1) The grounds set forth in LVMC 6.02.090 and 6.02.330 to 6.02.360,
17 inclusive; or

18 (2) Two convictions of any person [or persons who are required to be
19 licensed under this Chapter] for solicitation of prostitution on the massage establishment premises
20 within the preceding three-year period.

21 [(C) Upon completion of the Metro investigation, the Director may approve, deny
22 or take such other action as the Director considers appropriate with regard to applications for massage
23 therapist and independent massage therapist licenses.

24 (D) The Director may deny, revoke or suspend a massage therapist license or an
25 independent massage therapist license for good cause, which includes, but is not limited to:

26 (1) The grounds set forth in LVMC 6.02.090 and 6.02.330 to 6.02.360
27 inclusive; or

28 (2) The applicant's or licensee's conviction for solicitation of prostitution

1 within the preceding three-year period.

2 (E) The Director's denial, suspension or revocation of a massage therapist license
3 or an independent massage therapist license may be appealed by the applicant or licensee to the City
4 Council in accordance with the provisions of LVMC 6.02.110.]

5 SECTION 111: Title 6, Chapter 52, Section 180, of the Municipal Code of the
6 City of Las Vegas, Nevada, 1983 Edition, is hereby repealed.

7 SECTION 112: Title 6, Chapter 52, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as
9 Section 6.52.180, to read as follows:

10 **6.52.180:** (A) Except as otherwise provided in this Section, the Director shall issue a license
11 to perform massage therapy to an applicant upon the acceptance of a completed application, payment
12 of appropriate license fees, proof of a valid unexpired massage therapist license issued by the Nevada
13 Board of Massage Therapists, and a valid health card issued by the Health District, if one is required
14 by the Health District.

15 (B) The Director may deny, refuse to renew, or revoke an application for a license
16 to perform massage therapy for the following reasons:

17 (1) The applicant or licensee fails to possess or maintain a valid unexpired
18 massage therapist license issued by the Nevada Board of Massage Therapists.

19 (2) The applicant or licensee has been convicted of a charge of solicitation
20 of prostitution during the three-year period immediately preceding the Director's action.

21 SECTION 113: Title 6, Chapter 52, Section 190, of the Municipal Code of the
22 City of Las Vegas, Nevada, 1983 Edition, is hereby repealed.

23 SECTION 114: Title 6, Chapter 52, Section 200, of the Municipal Code of the
24 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.52.200:** Licenses issued under this Chapter [for massage establishments, massage therapists and
26 independent massage therapists] are not transferable to any other person.

27 SECTION 115: Title 6, Chapter 52, Section 210, of the Municipal Code of the
28 City of Las Vegas, Nevada, 1983 Edition, is hereby repealed.

1 SECTION 116: Title 6, Chapter 55, Section 10, of the Municipal Code of the
2 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **6.55.010:** As used in this Chapter, unless the context otherwise requires, the following terms shall
4 have the meanings which are ascribed to them, as follows:

5 (A) “Employee” means a person who works for or under the direction of, on behalf
6 of, or as an agent of a licensee.

7 (B) “Health District” means the [Clark County] Southern Nevada Health District.

8 (C) “Mobile food vendor” means a person who offers for sale or sells food items
9 by means of a vehicle.

10 (D) “Licensee” means the holder of an mobile food vendor business license issued
11 by the Department.

12 (E) “Metro” means the Las Vegas Metropolitan Police Department.

13 (F) “Vehicle” means a motorized or non-motorized vehicle, including a push cart
14 or other similar vehicle.

15 (G) “Vend” means to sell or offer to sell food products from a vehicle.

16 SECTION 117: Title 6, Chapter 55, Section 40, of the Municipal Code of the
17 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.55.040:** (A) An application for a mobile food vendor license must be made upon forms
19 provided by the Department. In addition to the information required under LVMC Chapter 6.02, the
20 applicant shall provide the following:

21 (1) A description of the selling methods to be used and the nature of the
22 products or services to be offered;

23 (2) Proof of filing with the State of Nevada Department of Taxation;

24 (3) A health permit for each vehicle, documentation that the vehicle is
25 eligible for such permit, and a health card for each operator all issued by the Health District;

26 (4) A copy of a valid, unexpired Nevada vehicle registration, if applicable,
27 for each vehicle; and

28 (5) Such other information or documentation as the Department may require

1 in order to establish the applicant's suitability and fitness for approval.

2 (B) In order to obtain a mobile food vendor license, each principal of the business
3 must apply for and obtain approval for suitability in accordance with LVMC Chapter 6.06, subject to
4 the payment of an investigative fee of fifty dollars.

5 SECTION 118: Title 6, Chapter 57, Section 50, of the Municipal Code of the
6 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.57.050:** (A) Application.

8 (1) Any person who is required by the provisions of this Chapter to obtain
9 a license must apply for such license at the Department and pay an investigation fee pursuant to the
10 provisions of [Chapter 6.06 of this Code.] LVMC 6.06.

11 (2) The application must be made upon forms provided by the Department
12 and set forth the information required.

13 (3) A post office box address is unacceptable as a street address on an
14 application where a street address is required; provided, however, an applicant may identify and
15 designate on his application a post office box address as the address to which he prefers
16 correspondence to be mailed.

17 (B) Investigation. The Department shall refer the application for a license to [the
18 police department] Metro for an investigation. Upon completion of the investigation, the City Council
19 shall approve, deny or take such other action with respect to the application as it considers appropriate.
20 The City Council may deny a license for good cause which shall include without limitation the
21 grounds provided in LVMC 6.02.090(A).

22 SECTION 119: Title 6, Chapter 67, Section 140, of the Municipal Code of the
23 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **6.67.140:** The exclusive procedure for obtaining a refund of such surcharges by a person who
25 qualifies therefor under the eligibility guidelines set forth in Section 6.67.120 is as follows:

26 (A) An application shall be submitted to the Manager of the Senior Citizen
27 Programs Division of the City upon a form provided by the Manager. Such form shall set forth the
28 details of the income received by the applicant and proof of the age of the applicant and shall be

1 signed under penalty of perjury as to the truthfulness of the information contained in the application.
2 The Manager may require the submission of income tax returns and other information for verification
3 of the applicant's income.

4 (B) Such application shall further set forth the amount of surcharges paid by the
5 applicant to each such public utility company during the period for which the refund is sought and
6 shall have attached copies of all utility bills on which any such surcharge has been added during such
7 period. Proof that such bills have been paid shall also be attached.

8 (C) After the Manager of the Senior Citizen Program Division has reviewed each
9 application and determined that applicant has fulfilled the requirements of eligibility set forth in
10 Section 6.67.120 and that an application in compliance with this Section has been presented, he or she
11 shall approve such application and request the Department [of Finance and Business Services of the
12 City] to issue a check upon the special fund to be created pursuant to Section 6.67.160.

13 SECTION 120: Title 6, Chapter 67, Section 160, of the Municipal Code of the
14 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.67.160:** The Manager of the Senior Citizen Programs Division will develop a form which will
16 constitute the application to be filed pursuant to Section 6.67.140, and the Department [of Finance and
17 Business Services] will create a special fund to which will be appropriated sufficient funds with which
18 to make the refunds contemplated in this Chapter.

19 SECTION 121: Title 6, Chapter 69, Section 100, of the Municipal Code of the
20 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **6.69.100:** Each licensee who performs reflexology shall maintain in his or her possession and in
22 force at all times a current valid health card issued by the [Clark County] Health District.

23 SECTION 122: Title 6, Chapter 72, Section 20, of the Municipal Code of the
24 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.72.020:** The [Board] City Council finds that, unless regulated strictly, the business of retail
26 demonstration merchandise sales stores can be deceptive, fraudulent or misleading to many members
27 of the public patronizing such business and that such businesses must therefor comply with Chapter
28 6.06.

1 SECTION 123: Title 6, Chapter 72, Section 50, of the Municipal Code of the
2 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **6.72.050:** No license to conduct a business as a retail demonstration merchandise sales store shall
4 be granted unless and until the applicant has filed with the Department [of Business Activity] a surety
5 bond in the [penal] sum of twenty-five thousand dollars and with surety acceptable to and approved
6 by the City Attorney. Such bond shall be conditioned that said licensee shall faithfully observe and
7 comply with the provisions of this Chapter at all times during the continuance of such license, and
8 conditioned further to indemnify, keep, save and hold harmless the City, or any other person, against
9 all liabilities, judgments, costs, damages and expenses which the City, or any other person, may incur
10 as a consequence of the issuance of said license, or by reason of any act or failure to act by said
11 licensee, or by the failure or neglect of such licensee to observe and comply with this Code and with
12 any State or Federal law.

13 SECTION 124: Title 6, Chapter 72, Section 80, of the Municipal Code of the
14 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.72.080:** The semiannual license fee for any person engaged in the business of operating a retail
16 demonstration merchandise sales store is five hundred dollars or five percent of gross sales, whichever
17 is greater, to be collected in accordance with the provisions of Section 6.02.180 et seq. The [Board
18 of Commissioners] City Council declares that the cost of regulation of this kind of business is greater
19 than normal because continuous inspections are required, thereby requiring the employment of
20 additional inspectors by the Department [of Business Activity].

21 SECTION 125: Title 6, Chapter 72, Section 110, of the Municipal Code of the
22 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.72.110:** (A) Every retail demonstration merchandise sales store licensee shall keep accurate
24 ledgers in which shall be delineated an inventory, in a clear, legible manner, or:

- 25 (1) All goods received at such store;
26 (2) Date of receipt;
27 (3) The cost price to the licensee of all goods, including goods purchased
28 by said licensee on consignment for purposes of sale together with the name and address of the

1 vendor;

2 (4) The names and addresses of the purchasers at the demonstration of sale;

3 (5) The date sold and the price paid by the purchaser together with detailed
4 description of each article so sold.

5 (B) The records shall be open to inspection during normal business hours by the
6 Director of the Department [of Business Activity] or the Director's duly authorized enforcement
7 officers.

8 SECTION 126: Title 6, Chapter 73, Section 80, of the Municipal Code of the
9 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **6.73.080:** (A) Upon receipt of the application, the Director may have the same considered by
11 various departments or agencies such as [the Las Vegas Metropolitan Police Department, the Clark
12 County] Metro, the Health District, the Building and Safety Department and the Community Planning
13 and Development Department for their consideration and recommendations.

14 (B) Upon completion of the review of applications for indoor concerts, the Director
15 may approve, deny or take such other action with respect to an application as he considers appropriate.
16 The Director may deny a permit for good cause, which includes, but is not limited to, the grounds set
17 forth in Subsection (D) of this Section.

18 (C) Upon completion of the review of all other applications, the Director shall
19 submit the same to the City Council for its approval, denial or other action which it considers
20 appropriate.

21 (D) The City Council, may deny, revoke or suspend a permit for good cause, which
22 includes, but is not limited to the following grounds:

23 (1) The application is incomplete or contains false, misleading or fraudulent
24 statements with respect to any information required;

25 (2) The proposed rock concert would interfere with the health, safety or
26 general welfare of the public or constitute a breach of peace;

27 (3) The proposed rock concert fails to satisfy any qualification or
28 requirement imposed by this Code, or other local, State or Federal law or regulation pertaining to such

1 activities;

2 (4) Disciplinary action has been brought against the licensee or a person
3 associated with the licensee who is required to be found suitable;

4 (5) The applicant fails to comply with any conditions of the license or
5 permit.

6 SECTION 127: Title 6, Chapter 73, Section 90, of the Municipal Code of the
7 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.73.090:** Every licensee shall employ, at his own expense, police protection. The number and
9 type of officers shall be determined and specified by the City Council to provide for the preservation
10 of order and protection of property in and around the place of the rock concert. Funds to employ this
11 specified number of law enforcement officers at the current hourly salary rate for [Police Officers] law
12 enforcement officers, shall be deposited with the Department at least ten days prior to the specified
13 date the activity is to occur. A minimum of one law enforcement officer for every two hundred fifty
14 persons expected to be in attendance shall be required. Where off-duty peace officers are specified
15 to meet the requirements of this Chapter, the peace officers shall be under the complete direction and
16 control of the Sheriff of [the Las Vegas Metropolitan Police Department] Metro.

17 SECTION 128: Title 6, Chapter 73, Section 100, of the Municipal Code of the
18 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.73.100:** (A) When the rock concert is not performed at permanent facilities which are
20 suitably constructed for the type of concert and the estimated number of persons expected to attend,
21 the provisions of this Section must be complied with. The location of water facilities on the premises
22 must be approved by the [Clark County] Health District prior to issuance of a license.

23 (B) The minimum supply of water to the outdoor rock concert shall be fifteen
24 gallons of water for each person in attendance per day. All water shall meet the United States Public
25 Health Service standards. Public and private flush-type water closets, lavatories and drinking facilities
26 shall be required as determined by the [Clark County] Health District. Sewage and drainage systems
27 relating to such facilities shall be subject to the prior approval of the [Clark County] Health District
28 and the Director of Building and Safety of the City.

1 SECTION 129: Title 6, Chapter 73, Section 110, of the Municipal Code of the
2 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **6.73.110:** When the rock concert is not performed at permanent facilities which are suitably
4 constructed for the type of concert and the estimated number of persons expected to attend, the
5 provisions of this Section must be complied with:

6 (A) (1) Every licensee shall provide at least one enclosed flush-type water closet
7 facility marked "men" and one such facility marked "women" on the premises of a rock concert on
8 the basis of one flush-type water closet for each forty males and one for each forty females expected
9 to be in attendance. Urinals may be substituted for the required flush-type water closets for men on
10 the ratio of one urinal and one flush-type water closet per sixty [males] males;

11 (2) Lavatories provided with cold water under pressure, soap and paper
12 towels shall be provided on the basis of one lavatory for each seventy-five persons expected to be in
13 attendance;

14 (3) Where flush-type water closets cannot be made available for the persons
15 in attendance, the City Council may allow the use of portable chemical toilets;

16 (4) Such chemical toilets must meet the approval of the [Clark County]
17 Health District before any license may be issued. Chemical toilets shall be emptied and recharged at
18 the licensee's expense as necessary pursuant to procedures established by the [Clark County] Health
19 District.

20 (B) Every licensee shall be required to furnish at least one trash can with thirty-six
21 gallon capacity with a tight fitting lid for each twenty-five persons expected to be in attendance, an
22 adequate supply of plastic bag liners to fit the trash receptacles shall be provided and each container
23 shall at all times have a plastic bag liner inserted and when full it shall be tied, removed and a new
24 plastic bag liner inserted. The pick up and removal of refuse, trash, garbage and rubbish shall be at
25 least once a day and more often if required by the [Clark County] Health District. A signed contract
26 with a licensed refuse collector shall be submitted to the [Clark County] Health District and a copy
27 of same filed with the Health District. Removal of all trash and refuse shall be at the licensee's
28 expense.

1 SECTION 130: Title 6, Chapter 73, Section 120, of the Municipal Code of the
2 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **6.73.120:** The licensee is required to provide for emergency medical treatment:

4 (A) The [Clark County] Health District shall calculate the need for the emergency
5 services, based on the number of persons expected to attend a rock concert, their expected age group,
6 the duration of events planned and the possibility of exposure to inclement weather and outdoor
7 elements.

8 (B) Traffic lanes and other adequate space shall be designated and kept open for
9 access and travel for ambulance, helicopter and other emergency vehicles to transport patients, or staff
10 to appropriate on-site and off-site treatment facilities.

11 SECTION 131: Title 6, Chapter 73, Section 130, of the Municipal Code of the
12 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.73.130:** (A) Every licensee shall provide adequate parking space for persons attending the
14 rock concert by motor vehicle.

15 (B) Persons desiring to operate or conduct a rock concert may be called upon to
16 provide a separate parking space for every four persons expected to attend the concert by motor
17 vehicle. Such individual parking spaces shall be clearly marked and shall not be less than twelve feet
18 wide and twenty feet long. The Directors of the Building and Safety Department and the [Community]
19 Planning and Development Department must approve an applicant's "parking plan" before a permit
20 shall be issued.

21 SECTION 132: Title 6, Chapter 73, Section 160, of the Municipal Code of the
22 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.73.160:** Every licensee shall provide at his own expense adequate fire protection as determined
24 by the Fire and Rescue Department. Flammable vegetation and other fire hazards shall be removed
25 in a manner and in such quantity as determined by the Fire Chief. First-aid and fire-extinguishment
26 equipment shall be provided as directed by the Fire Chief.

27 SECTION 133: Title 6, Chapter 74, Section 20, of the Municipal Code of the
28 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **6.74.020:** As used in this Chapter, unless the context otherwise requires, the following words
2 shall have the meaning ascribed to them as follows:

3 [(A)] "Advertise" means the use of any newspaper, magazine or other publication,
4 letter, sign, card or other printed matter, radio or television transmission or any other method to bring
5 to the attention of the public that a person is engaged in the business of:

6 [(a)] (A) Buying, selling or trading hides or junk; or

7 [(b)] (B) Buying, selling or trading metal junk, melted metal or secondhand
8 personal property, including, without limitation, antiques and collectibles.

9 [(B)] "Antique" means a unique object of personal property that is not less than sixty
10 years old and has special value primarily because of its age.

11 [(C)] "Collectible" means an object of personal property that has special value
12 primarily because of its unique characteristics and the high level of demand for the object.

13 [(D)] "Identifiable" means secondhand personal property which bears a serial number
14 or personalized initials or an inscription and includes secondhand personal property which, at the time
15 it is acquired by the secondhand dealer, bears evidence of having had a serial number or personalized
16 initials or an inscription.

17 [(E)] "Junk" means old iron, copper, brass, lead, zinc, tin, steel and other metals,
18 metallic cables, wires, ropes, cordage, bottles, bagging, rags, rubber, paper, and all other secondhand,
19 used or castoff articles or material of any kind.

20 [(F)] "Police department" means the Las Vegas Metropolitan Police Department.

21 [(G)] "Precious metals" means gold, platinum, silver and their alloys.

22 [(H)] "Secondhand dealer" means any person engaged in whole or in part in the
23 business of buying, selling or trading secondhand or used personal property, including, without
24 limitation, hides, junk, metal junk, melted metals, antiques and collectibles.

25 SECTION 134: Title 6, Chapter 74, Section 110, of the Municipal Code of the
26 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

27 **6.74.110:** (A) Every secondhand dealer shall maintain in his place of business a book or other
28 permanent record in which must be legibly written in the English language, at the time of each

1 purchase, a record thereof containing:

2 (1) The date and time of each transaction;
3 (2) The name, age, driver's license number, house number and street and
4 a general description of the complexion, color of hair and facial appearance of the person with whom
5 the transaction is had;

6 (3) The license number of the vehicle delivering each purchase, if the
7 transaction involves household furniture;

8 (4) A description of the property bought; and

9 (a) In the case of watches, the description must contain the name
10 of the maker and the number of the works or the case; and

11 (b) In the case of jewelry, the description must contain all letters and
12 marks inscribed on the jewelry; and

13 (c) When the article bought is furniture or the contents of any house
14 or room actually inspected on the premises, a general record of the transaction is sufficient;

15 (5) The price paid;

16 (6) The name or other identification of the person or employee conducting
17 the transaction, who shall legibly print or type his full name and write his signature on the transcript.
18 Each transcript must include a certificate, signed by the person selling the property to the secondhand
19 dealer, stating that he has the legal right to sell the property.

20 (B) The record and all goods received must at all times during the ordinary hours
21 of business be open to the inspection of [the police department] Metro.

22 (C) The provisions of this Section do not apply to any transaction which involves
23 buying, selling or trading used sound recordings or clothing.

24 SECTION 135: Title 6, Chapter 74, Section 120, of the Municipal Code of the
25 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **6.74.120:** (A) Every secondhand dealer shall, on forms acceptable to [the Police Department]
27 Metro, and before the hour of twelve noon of each day, furnish, by mail or any other means, in
28 duplicate to [the Police Department] Metro a full, true and correct transcript of the record of all

1 transactions had on the preceding day.

2 (B) Every secondhand dealer having good cause to believe that any property in his
3 possession has been previously lost or stolen shall forthwith report that fact to [the Police Department]
4 Metro, together with the name of the owner if known, and the date when the name of the person from
5 whom he received the property.

6 SECTION 136: Title 6, Chapter 74, Section 130, of the Municipal Code of the
7 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.74.130:** Every secondhand dealer must keep without concealment property that is identifiable
9 for a period of thirty days after the receipt thereof has been reported or a record of the receipt of the
10 property is furnished or mailed to [the Police Department] Metro and before selling, shipping or
11 otherwise disposing of the same. While in the possession of any secondhand dealer, all goods shall
12 remain subject to inspection by [the Police Department] Metro during normal business hours.

13 SECTION 137: Title 6, Chapter 74, Section 160, of the Municipal Code of the
14 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.74.160:** Each holder of a Class I secondhand dealer's license shall promptly deliver to [the
16 Police Department] Metro or the Department of Motor Vehicles all motor vehicle and trailer State
17 license plates attached to any motor vehicle or trailer received by him for resale, exchange, wrecking
18 or dismantling.

19 SECTION 138: Title 6, Chapter 74, Section 190, of the Municipal Code of the
20 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

21 **6.74.190:** It is unlawful for any secondhand dealer or any clerk, agent or employee of a
22 secondhand dealer to:

23 (A) Omit making an entry of any material matter in his book or record kept as
24 provided for in Section 6.74.110;

25 (B) Make any false entry in his book or record;

26 (C) Obliterate, destroy or remove from his place of business the book or record;

27 (D) Refuse to allow [the Police Department] Metro to inspect the book or record
28 or any goods in his possession, during the ordinary hours of business;

- 1 (E) Report any material matter falsely to [the Police Department] Metro;
- 2 (F) Omit reporting forthwith to [the Police Department] Metro the possession of
- 3 any property which he may have good cause to believe has been lost or stolen, together with the name
- 4 of the owner, if known, and the date when and the name of the person from whom he received the
- 5 property;
- 6 (G) Violate Section 6.74.130;
- 7 (H) Receive any property from any person under the age of eighteen years, any
- 8 common drunkard, any habitual user of controlled substances as defined in Chapter 453 of NRS, any
- 9 habitual criminal, any person in an intoxicated condition, any known thief or receiver of stolen
- 10 property, or any known associate of a thief or receiver of stolen property, whether the person is acting
- 11 in his own behalf or as the agent of another.

12 SECTION 139: Title 6, Chapter 76, Section 30, of the Municipal Code of the

13 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.76.030:** Any person desiring a permit for the use or operation of such device shall file an

15 application therefor with the Department [of Business Activity] upon a form provided therefor setting

16 forth:

- 17 (A) The name and address of the applicant;
- 18 (B) The type of device intended to be used;
- 19 (C) The dates upon which it is intended to be used;
- 20 (D) A description of how and where the device is to be used; and
- 21 (E) Such other information necessary to determine the appropriateness of issuing
- 22 a permit under this Chapter.

23 SECTION 140: Title 6, Chapter 76, Section 40, of the Municipal Code of the

24 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.76.040:** The Director [of Business Activity] may deny a permit or impose restrictions upon

26 time, place, manner and degree of loudness of such amplification device in order to prevent:

- 27 (A) Undue annoyance to persons;
- 28 (B) A public nuisance;

- 1 (C) Interference with pedestrian and vehicular traffic;
2 (D) Interference with schools, churches or other assemblies;
3 (E) A disturbance of the peace; or
4 (F) Because of excessive noise or an accumulation of noises that is a hazard to a
5 person's health.

6 SECTION 141: Title 6, Chapter 76, Section 60, of the Municipal Code of the
7 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.76.060:** Except as provided in Section 6.76.040, upon the filing of a complete and accurate
9 application and payment of the permit fees, the Director [of Business Activity] shall issue a permit for
10 use of the sound amplification device. Such a permit shall expire upon expiration of the license fee
11 period which shall not exceed six months.

12 SECTION 142: Title 6, Chapter 80, Section 60, of the Municipal Code of the
13 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.80.060:** After the investigation of an applicant has been completed by [the Las Vegas
15 Metropolitan Police Department] Metro, it shall be submitted to the Director, who shall complete the
16 processing of the application and place it before the City Council for its action thereon. The applicant
17 shall appear in person at the meeting of the City Council at which his application is scheduled to be
18 considered and shall be required to answer any and all questions that pertain to such application or to
19 the fitness of any person who is connected as an owner, officer, responsible person or manager of the
20 proposed teenage entertainment location that any member of the City Council deems is necessary or
21 appropriate.

22 SECTION 143: Title 6, Chapter 80, Section 90, of the Municipal Code of the
23 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

24 **6.80.090:** Each teenage establishment location shall provide and maintain parking spaces in the
25 number that is determined by the Department of [Community] Planning and Development to be
26 sufficient for that location in accordance with LVMC Chapter 19.64. The parking area shall be
27 surfaced with a concrete or asphaltic paving and shall be electrically illuminated with a light that
28 provides, at ground level, an intensity of not less than .25 foot-candle power. Additionally, all such

1 parking spaces shall comply with the requirements of LVMC Section 19.04.120.

2 SECTION 144: Title 6, Chapter 80, Section 130, of the Municipal Code of the
3 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.80.130:** If a teenage entertainment location provides, at any function thereat, live music through
5 musicians who personally appear and perform at that location, the responsible party shall provide the
6 Special Investigations [Bureau of the Las Vegas Metropolitan Police Department] Section of Metro
7 with at least one day's advance written notice thereof, which notice shall include the date of, and the
8 hours during which, such function is to be held, the name and size of each group that will perform at
9 such function and a description of the type of music and other entertainment that will be presented by
10 each group.

11 SECTION 145: Title 6, Chapter 80A, Section 100, of the Municipal Code of the
12 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.80A.100:** The permittee shall be responsible for reimbursing the Department for all permit related
14 inspections conducted after normal operating hours (eight a.m. to five p.m. Monday through Friday),
15 on weekends, or on holidays. Inspection fees shall be assessed for a three-hour minimum at fifty
16 dollars per hour per staff member required to conduct the permit inspection. The permittee may also
17 be charged inspection fees by other City departments whose inspections are required in connection
18 with the issuance of a permit pursuant to this Chapter, including without limitation the Department
19 of [Fire Services] Fire and Rescue and the Department of Planning and Development. All fees shall
20 be paid at the completion of each inspection.

21 SECTION 146: Title 6, Chapter 80A, Section 110, of the Municipal Code of the
22 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.80A.110:** No person shall engage in the business of a parade vendor without obtaining a permit
24 therefor in accordance with this Section. A parade vendor permit shall be required for each vendor
25 who intends to sell merchandise at a parade, and a permit shall be valid only for the date of the parade.
26 Application for a parade vendor permit shall be made on a form provided by the Director. The
27 application shall list all types of items that the vendor proposes to sell at the parade. If the Director
28 determines that any item proposed to be sold is likely to be used in a manner to disrupt the parade or

1 to endanger the health, safety and welfare of the public, he may deny a permit or impose conditions
2 upon the issuance of the permit that are designed to prevent or limit such disruption or danger. Each
3 parade vendor shall pay in advance a permit fee often dollars. A parade vendor shall comply with all
4 requirements of the [Clark County] Health District and the Nevada Department of Taxation.

5 SECTION 147: Title 6, Chapter 81, Section 50, of the Municipal Code of the
6 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.81.050:** Every license issued pursuant to this Chapter is conditioned upon the compliance by
8 the licensee with the requirements of this Chapter, including the following regulations:

9 (A) Every licensee shall provide, at its own expense, adequate security protection.

10 (B) Every licensee shall file with the Department [of Business Activity] a certificate
11 of insurance issued by an insurance company authorized to do business in the State which names the
12 City as an additional insured and which shows that the licensee is insured in an amount of not less than
13 five hundred thousand dollars against liability for injury suffered by patrons of the theme park or
14 permanent exhibition.

15 (C) Every licensee shall provide sufficient and uniform electrical illumination to
16 insure that the passenger loading and unloading areas of any amusement ride or permanent exhibition
17 conveyance are well lighted at all times of operation after dark. Emergency lighting shall be provided
18 in the event of electrical power failure to permit passenger unloading.

19 (D) Every licensee shall provide platforms or areas with sufficient space for
20 passengers waiting to board and for passengers departing any amusement ride or permanent exhibition
21 conveyance. Such platforms or areas shall be kept clean and free of dangerous depressions,
22 obstructions and debris.

23 (E) Every licensee shall store trash or waste in receptacles so constructed that they
24 do not leak and may be thoroughly cleaned. All sweepings, trash and waste shall be removed in such
25 a manner as to avoid creating a nuisance and shall be removed as often as necessary to avoid creating
26 a menace to health through the development of unsanitary conditions.

27 (F) Every licensee shall equip and maintain emergency stretchers and first aid kits
28 with adequate supplies. The location of emergency first aid kits and stretchers must be clearly marked.

1 (G) Every licensee operation an enclosed amusement ride or permanent exhibition
2 conveyance shall equip it with a transparent safety glass front windshield. Such ride or conveyance
3 shall also be equipped with electric head and rear lights of sufficient candle power as to be visible at
4 a distance of three hundred feet under ordinary atmospheric conditions. Such ride or conveyance shall
5 also be equipped with suitable devices that will remove rain, snow and sleet from the front windshield
6 while in motion.

7 (H) Every licensee shall equip all doors on any amusement ride or permanent
8 exhibition conveyance with latches or secure the doors otherwise to prevent them from swinging under
9 normal operating conditions.

10 SECTION 148: Title 6, Chapter 86, Section 10, of the Municipal Code of the
11 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

12 **6.86.010:** Unless the context otherwise requires, the following words used in this Chapter shall
13 have the meaning ascribed to them as follows:

14 [(A)] "Metro" means the Las Vegas Metropolitan Police Department.

15 "Qualified agent" means a principal of the employer or a representative of a non-restricted
16 gaming licensee's human resources department.

17 [(B)] "Referral slip" means a written statement signed and dated by a designated authorized agent
18 of an employer which contains the name and address of a person who needs a work card to engage in
19 the employment offered to him by the employer and a description of the kind of employment offered.

20 [(C)] "Work card" means a card [or permit] issued by Metro [or other lawful authority] which
21 authorizes the holder to be employed in the capacity as specified on the card and contains a
22 photograph and other identification of the holder.

23 SECTION 149: Title 6, Chapter 86, Section 30, of the Municipal Code of the
24 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **6.86.030:** It is unlawful for any employer to employ a person who is required to have a work card
26 unless such person has a valid work card for such employment. [Each employer shall designate an
27 authorized agent to be responsible for completing a referral slip and for immediately directing
28 prospective employees requiring work cards to Metro.] Each employer shall designate a qualified

1 agent to immediately complete referral slips and refer prospective employees requiring work cards to
2 Metro. Prior to the referral slips being sent to Metro the qualified agent shall verify that all requested
3 information regarding the prospective employees is included. The [authorized] qualified agent shall
4 also be responsible for notifying Metro within five days from the date that a new employee already
5 possessing a valid work card commences employment.

6 SECTION 150: Title 6, Chapter 86, Section 40, of the Municipal Code of the
7 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **6.86.040:** A person who desires a work card shall complete an application and provide the
9 appropriate authorization and release for Metro to obtain all necessary background information. The
10 applicant shall also allow Metro to obtain all required photographs and fingerprints for the initial
11 application or renewal process. In addition, the applicant shall provide the following information:

- 12 (A) A referral slip from the prospective employer;
- 13 (B) The applicant's name and other names, nicknames, and aliases by which the
14 applicant has been known and the applicant's current address;
- 15 (C) The applicant's date of birth, place of birth, marital status, height, weight, color
16 of eyes and hair;
- 17 (D) When deemed appropriate by Metro in order to verify name, age, place of birth
18 or legal residence in the United States, the applicant's birth certificate, alien registration card,
19 citizenship papers or other recognized documents of identification;
- 20 (E) Any crimes excepting misdemeanor traffic offenses for which the applicant has
21 been cited, arrested or convicted, plus the date, place and disposition of such charges;
- 22 (F) Any information from a regulatory authority including, but not limited to, any
23 previous revocation, suspension, denial or disciplinary action taken against the applicant in connection
24 with a business license, work [permit] card or other regulatory matter in Nevada or any other
25 jurisdiction;
- 26 (G) The names and addresses of all places of employment of the applicant for five
27 years prior to the date of the application;
- 28 (H) For any minor child, a standard letter of approval to work from Clark County

1 Family and Youth Services;

2 (I) Such other information that may be required by Metro which reasonably relates
3 to the applicant's fitness to hold a work card.

4 SECTION 151: Title 6, Chapter 86, Section 70, of the Municipal Code of the
5 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.86.070:** (A) Each applicant for an original work card, or for a renewal or replacement
7 thereof, shall pay to Metro the non-refundable fees that pertain to that card. The fee amounts shall be
8 in accordance with a fee schedule that has been approved by Metro's Committee on Fiscal Affairs.

9 (B) Each applicant shall pay the fee established by Metro for the investigation of
10 an application for a work card, whether the application is approved or denied. Such fee is a collectible
11 debt owed to Metro and must be paid in full before a work card will be issued.

12 SECTION 152: Title 6, Chapter 86, Section 80, of the Municipal Code of the
13 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.86.080:** [Whener] Whenever a person obtains the issuance or renewal of a work card, such card
15 shall be deemed a temporary card for the first [one hundred] ninety days subject to the completion of
16 the investigation of the applicant [and, in the case of a gaming card, a review by State Gaming
17 authorities]. Should the investigation show the applicant is unsuitable for the reasons set out in
18 Section 6.86.110, [or should the State gaming authorities object to the issuance or renewal of a work
19 card for gaming pursuant to NRS 463.335, then] the work card shall be immediately cancelled and
20 repossessed by Metro.

21 SECTION 153: Title 6, Chapter 86, Section 90, of the Municipal Code of the
22 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.86.090:** [(A)] A work card shall expire five years from the date it is issued unless otherwise
24 designated by Metro, the City Council or this Code.

25 [(B) A work card for gaming shall expire ten days following any change in the
26 holder's place of employment and ninety days after the holder discontinues employment as a gaming
27 employee in the City.]

28 SECTION 154: Title 6, Chapter 86, Section 110, of the Municipal Code of the

1 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2 **6.86.110:** Metro may deny the issuance or renewal of a work card or suspend or revoke a work
3 card for the following reasons:

4 (A) The application is incomplete or the applicant or holder has made false,
5 misleading or fraudulent statements with respect to any material information contained in the
6 application;

7 (B) [The applicant or holder has committed or been convicted of any crime
8 involving moral turpitude. For purposes of this Subsection, crimes of moral turpitude are those crimes
9 which necessarily involve an intent to defraud, intentional dishonesty for personal gain, intentional
10 causing of serious injury to another person, or any sex-related crime;] The applicant or holder is
11 currently under investigation regarding, has committed, or has been convicted of any crime involving
12 moral turpitude. For purposes of this Subsection, an applicant or holder is currently under
13 investigation during the period of time from the original charge regarding a crime until adjudication
14 of that charge, and crimes of moral turpitude are those crimes which necessarily involve an intent to
15 defraud, intentional dishonesty for personal gain, intentional causing of serious injury to another
16 person, sale of narcotics, possession of narcotics with intent to sell or any sex-related crime;

17 (C) The applicant or holder fails to meet age or other requirements for the particular
18 employment as may be set forth in this Code, or State and Federal laws or regulations;

19 (D) The applicant or holder illegally resides in the United States;

20 (E) The applicant or holder has been subject to a revocation, suspension, or other
21 disciplinary action against a business license or work card or permit in Nevada or any other
22 jurisdiction to the extent that such disciplinary action reflects upon the fitness of the applicant or
23 holder to have a work card;

24 (F) The applicant or holder has worked for an employer without a work card when
25 one was required;

26 (G) Where substantial information exists showing the applicant or holder to be
27 dishonest or corrupt[;].

28 [(H) In the case of an applicant for a gaming work card any reason enumerated in

1 NRS 463.335, Section 7, subsections (a) through (f) and, in the case of a holder of a gaming work
2 card, any reason enumerated in NRS 463.337, Section 2, subsections (a) through (i).]

3 SECTION 155: Title 6, Chapter 86, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as
5 Section 6.86.130, to read as follows:

6 **6.86.130:** Other than regarding a sex related crime, for which no time restriction is imposed, the
7 period of time for review of an applicant's criminal history shall date back ten years from the date of
8 application for the work card, unless the same crime has been committed more than once during the
9 applicant's adulthood, in which case no time restriction applies to that crime.

10 SECTION 156: Title 6, Chapter 86, Section 140, of the Municipal Code of the
11 City of Las Vegas, Nevada, 1983 Edition, is hereby repealed.

12 SECTION 157: Title 6, Chapter 86, Section 150, of the Municipal Code of the
13 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.86.150:** (A) Except as otherwise provided in Subsection [(B)] (C), any applicant aggrieved
15 by a decision of Metro with respect to the issuance, renewal, denial, revocation or suspension of a
16 work card may appeal such decision within [thirty] ten days to the City Council by filing with [Metro
17 and the City Clerk] the Department a written notice of appeal identifying with specificity the errors
18 of law or fact that the applicant believes were made in connection with Metro's decision.

19 (B) The City Council shall hear the applicant [at the next regularly scheduled
20 meeting following the expiration of ten days after the applicant files a notice of appeal.] within forty-
21 five days of the filing of the appeal, subject to the requirements of the Nevada open meeting law.
22 Upon the filing of an appeal, Metro may issue a temporary work [permit] card which will be revoked
23 or become permanent upon the final decision of the City Council.

24 [(B)] (C) In the case of a decision by Metro which is based upon the unemployability of
25 a person pursuant to NRS 648.060(3)(d), the decision is appealable only by means of petition to the
26 State of Nevada District Court.

27 (D) In addition to any written briefs, exhibits or other documentation submitted on
28 behalf of the applicant's appeal, the applicant or his or her legal counsel shall attend, make an opening

1 statement and be prepared to make oral arguments to the City Council in support of the appeal. Any
2 criminal history of the applicant relied on by Metro as a basis for its denial, suspension or revocation
3 of the applicant's work card and referenced by the applicant during his or her appeal shall become part
4 of the public record and may be openly discussed during the appeal hearing.

5 SECTION 158: Title 6, Chapter 86, Section 160, of the Municipal Code of the
6 City of Las Vegas, Nevada, 1983 Edition, is hereby repealed.

7 SECTION 159: Title 6, Chapter 86, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as
9 Section 6.86.160, to read as follows:

10 **6.86.160:** An appeal of a work card denial pursuant to Section 6.86.150 shall include a statement
11 from a prospective employer in support of the applicant's employment. Such affidavit must include:

12 (A) An acknowledgment that the prospective employer has been informed of the
13 applicant's adult criminal history.

14 (B) Which prior crimes of the applicant were disclosed to the prospective employer.

15 (C) The name of the prospective employer and the name and address of his or her
16 business.

17 (D) The City business license number of the employer.

18 SECTION 160: Title 6, Chapter 86, Section 180, of the Municipal Code of the
19 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.86.180:** Employers of persons who are required to have work cards shall:

21 (A) Maintain and make available for inspection, during normal business hours, by
22 Metro or the Department a list of all employees who have been employed in capacities that require
23 a work card. The list must include the employee's name, work card number and date of expiration.
24 The list must also include all current employees and all those employed during the previous three
25 years; and

26 (B) Upon the employment of a person in a capacity allowed by his current work
27 card, other than one in gaming, notify Metro, on the form provided by Metro, of the employment of
28 that person in any capacity requiring a current work card, other than one in gaming, within [ten] five

1 days of such employment[; and

2 (C) Designate an authorized agent to be responsible for signing referral slips,
3 maintaining employee lists, providing notification of the hiring of new employees and the changing
4 of places of employment and verifying that all required employees have valid, current work cards].

5 SECTION 161: Title 6, Chapter 88, Section 40, of the Municipal Code of the
6 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.88.040:** If the City Council approves the complaint, it shall cause a copy of the complaint and
8 a notice of hearing to be served upon the respondent, either personally or by registered or certified
9 mail, return receipt required, at his address on file with the Department [of Business Activity]. The
10 complaint and notice of hearing shall be served on the respondent at least ten days prior to the hearing.

11 SECTION 162: Title 6, Chapter 90, Section 30, of the Municipal Code of the
12 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.90.030:** On a license application approved by the Director, an applicant for a market promoter
14 license shall provide the following information:

15 (A) The name, address, and telephone number of all the principals of the applicant.

16 (B) The business name, business address, and business telephone number of the
17 applicant.

18 (C) The location of the proposed farmers' market operation.

19 (D) A description of the nature of the operation and the period of time proposed for
20 operations.

21 (E) A list of the producers, farm product vendors and those persons who will be
22 non-farm product vendors, to include the producers' and vendors' business names, telephone numbers,
23 and a description of the products to be sold at the farmers' market.

24 (F) Proof of compliance with the [Clark County] Health District regulations
25 pertaining to the proposed farmers' market operation.

26 (G) Proof of compliance or exemption from the State Department of Taxation
27 regulations.

28 SECTION 163: Title 6, Chapter 90, Section 50, of the Municipal Code of the

1 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2 **6.90.050:** It is unlawful for any non-farm product vendor to sell items at a farmers' market
3 without first obtaining and thereafter maintaining a valid license to do so from the Department
4 pursuant to this Chapter. Before a license to sell non-farm product consumables is issued by the
5 Department, the applicant must obtain a health permit from the [Clark County] Health District and
6 comply with all other applicable Health District requirements.

7 SECTION 164: Title 6, Chapter 90, Section 70, of the Municipal Code of the
8 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.90.070:** On a form approved by the Director, an applicant for a non-farm product vendor license
10 shall provide the following information:

- 11 (A) The name, address, and telephone number of all the principals of the applicant.
- 12 (B) The business name, address, and telephone number of the applicant.
- 13 (C) The location of the farmers' market.
- 14 (D) A description of the nature of the operation and the period of time proposed to
15 be conducted in conjunction with the farmers' market.
- 16 (E) Proof of compliance with the [Clark County] Health District regulations, if
17 applicable, pertaining to the proposed vending operation.
- 18 (F) Proof of compliance with the State Department of Taxation regulations.
- 19 (G) Written documentation signed by the market promoter authorizing participation
20 in the farmers' market.

21 SECTION 165: Title 6, Chapter 90, Section 100, of the Municipal Code of the
22 City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.90.100:** At the time of any and all sales made at a farmers' market, each producer and farm
24 product vendor must post in a conspicuous manner at the sales location:

- 25 (A) A health permit from the [Clark County] Health District, if applicable, and
26 evidence of compliance with all other applicable Health District requirements.
- 27 (B) A current valid certificate, if the state in which the farm product is grown
28 requires certification in order to sell the farm product in that state.

1 (C) A sign stating "Non-Certified," if the state in which the farm product is grown
2 does not require certification in order to sell the farm product in that state.

3 SECTION 166: Title 6, Chapters 6.07, 6.38 and 6.82 of the Municipal Code of
4 the City of Las Vegas, Nevada, 1983 Edition, are hereby repealed.

5 SECTION 167: Title 19, Chapter 00, Section 70, of the Municipal Code of the
6 City of Las Vegas, Nevada, 1983 Edition is hereby amended by adding thereto a new subsection,
7 designated as Subsection (G), reading as follows:

8 (G) Registration of Certain Nonprofit Organizations. In order to assist in the
9 enforcement of the land use-related provisions of this Title, any nonprofit organization proposing to
10 operate a use or activity within a building or upon any premises shall first register with the Department
11 of Finance and Business Services. The Department of Finance and Business Services is authorized
12 to provide such registration information to the Planning and Development Department in order for the
13 latter to ensure that the proposed operation is or will be in conformance with the provisions of this
14 Title.

15 SECTION 168: For purposes of Section 2.100(3) of the City Charter, LVMC
16 19.00.070 is deemed to be a subchapter rather than a section.

17 SECTION 169: Sections 112 and 159 of this Ordinance shall become effective
18 as of 12:01 A.M. the day after publication of this Ordinance by title.

19 SECTION 170: If any section, subsection, subdivision, paragraph, sentence,
20 clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or
21 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity
22 or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of
23 the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
24 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
25 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
26 invalid or ineffective.

27 SECTION 171: Whenever in this ordinance any act is prohibited or is made or
28 declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of

1 any act is required or the failure to do any act is made or declared to be unlawful or an offense or a
2 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
3 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
4 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
5 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

6 SECTION 172: All ordinances or parts of ordinances or sections, subsections,
7 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas,
8 Nevada, 1983 Edition, in conflict herewith are hereby repealed.

9 PASSED, ADOPTED and APPROVED this _____ day of _____, 2008.

10 APPROVED:

11
12 By _____
13 OSCAR B. GOODMAN, Mayor

14 ATTEST:

15 BEVERLY K. BRIDGES, CMC
16 City Clerk

17 APPROVED AS TO FORM:

18 Val Steel 8-6-08
19 Date
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22
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28

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2008, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2008, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as amended and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12

APPROVED:

13

14

By _____
OSCAR B. GOODMAN, Mayor

15

16

ATTEST:

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18

BEVERLY K. BRIDGES, CMC
City Clerk

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